

FEDERAL REGISTER



VOLUME 9 NUMBER 45

Washington, Friday, March 3, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[American-Egyptian Cotton, Form 1]

PART 252—1943 AMERICAN-EGYPTIAN COTTON LOANS

LOAN INSTRUCTIONS

Commodity Credit Corporation will make loans available to eligible producers on American-Egyptian cotton, of the 1943 crop, stored in approved warehouses or approved farm structures. All such loans on American-Egyptian cotton shall be made in accordance with and shall be subject to the provisions of these instructions.

- Sec.
- 252.1 1943 Cotton loan instructions.
 - 252.2 Eligible producer.
 - 252.3 Eligible cotton.
 - 252.4 Certificate of indemnity.
 - 252.5 Eligible paper.
 - 252.6 Forms.
 - 252.7 Amount.
 - 252.8 Certification of producer.

AUTHORITY: §§ 252.1 to 252.8, inclusive, issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; U.S.C., 1940 ed., 1302), and sec. 4 of the Act approved July 1, 1941 (55 Stat. 498; 15 U.S.C. 1940 ed., Supp. II, 713a-8), as amended October 2, 1942 (56 Stat. 768).

§ 252.1 *1943 Cotton loan instructions.* Except as hereinafter modified, all of the provisions of the 1943 Cotton Loan Instructions (1943 C.C.C. Cotton Form 1) as amended and supplemented, shall be fully applicable to loans on American-Egyptian cotton. For the purpose of such loans wherever the word "cotton" appears in such instructions, or the amendments and supplements thereto, it shall be read as "American-Egyptian cotton."

§ 252.2 *Eligible producer.* All producers, as defined in § 239.1 (a) of the 1943 Cotton Loan Instructions, of eligible

American-Egyptian cotton will be "eligible producers" and will be entitled to loans on such American-Egyptian cotton.

§ 252.3 *Eligible cotton.* Eligible cotton shall be American-Egyptian cotton produced in the United States in 1943 by or for an eligible producer: *Provided*, That the cotton meets the following requirements:

(a) Such cotton must be of a grade and staple specified in the attached table of Loan Rates, by States—1943 American-Egyptian-Cotton Loan Program.

(b) In the case of warehouse-stored cotton, such cotton must be represented by warehouse receipts complying with the provisions of § 239.8 of the 1943 Cotton Loan Instructions. In the case of farm-stored cotton, the cotton must be covered by a Cotton Chattel Mortgage (C.C.C. Cotton Form F) and a 1943 Cotton Mortgage Supplement (1943 C.C.C. Cotton Form FF) which will give the payee of the Cotton Producer's Note (C.C.C. Cotton Form E) secured by such mortgage, a first lien on such cotton.

(c) Such cotton must not be compressed to high density.

(d) Such cotton must be free and clear of all liens and encumbrances, except (in the case of warehouse-stored cotton) those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in 1943 C.C.C. Cotton Form A.

(e) Such cotton must be tendered for a loan by a person who has the legal right to pledge (or mortgage) it as security for a loan.

(f) The beneficial interest in the cotton must be, and must always have been, in the person tendering such cotton for a loan, or in such person and any share tenant or sharecropper having an interest in the cotton, or its proceeds in case such person is a landlord, cash tenant, or standing-rent tenant, and is placing under loan cotton in which both he and a share tenant or sharecropper have an interest.

(g) Such cotton must not have been received in payment of standing or fixed rent.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

Book 1. Titles 1-3 (Presidential documents) with tables and index.

Book 2: Titles 4-9, with index.

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(h) All persons having an interest in the cotton must be entitled to loans on the cotton.

(i) Such cotton shall be of normal character. No cotton shall be accepted for loan which, in the process of classification, is reduced in grade or staple length on account of irregularities or defects.

§ 252.4 *Certificate of indemnity.* A Certificate of Indemnity (Form FCI-74) issued by Federal Crop Insurance Corporation for American-Egyptian cotton will not be eligible for a loan.

§ 252.5 *Eligible paper.* In addition to the requirements of § 239.1 (f) of the 1943 Cotton Loan Instructions, in the case of farm-stored cotton eligible paper means a Cotton Producer's Note (C.C.C. Cotton Form E) duly executed prior to May 1, 1944.

§ 252.6 *Forms.* The following documents must be delivered in connection with every loan:

(a) 1943 C.C.C. Cotton Form A or Cotton Producer's Note (C.C.C. Cotton Form E)

(b) Warehouse receipts complying with the provisions of § 239.8 of the 1943 Cotton Loan Instructions or Cotton Chattel Mortgage (C.C.C. Cotton Form F)

(c) Producer's Letter of Transmittal (C.C.C. Cotton Form B) or Lending Agency's Letter of Transmittal (C.C.C. Cotton Form C)

Each Form A, B, E, F and FF must have the sentence "Wherever the word cotton appears herein, it shall be read as American-Egyptian cotton" conspicuously stamped or typed at the top of the document. Properly identified forms may be obtained from county agricultural conservation committees.

§ 252.7 *Amount.* The loan rates by States applicable to cotton stored in approved warehouses and in approved farm structures are shown in the attached table. Loans will not be made on grades or staple lengths of cotton not shown in this table. All loans will be made on the net weight of the lint cotton.

§ 252.8 *Certification of producer.* In the case of warehouse-stored loans, as evidence that the producer is entitled to a loan on warehouse-stored cotton, Commodity Credit Corporation will accept the Clerk's Certificate or item (A) of the Certificate of the County Agricultural Conservation Committee in 1943 C.C.C. Cotton Form A. It will not be necessary for the county committee to list in its certification the serial numbers of the farms in the county on which cotton was produced in 1943 by or for the producer.

In the case of farm-stored loans, the county committee must execute the approval form at the bottom of the Cotton Producer's Note.

Dated: February 15, 1944.

J. B. HUTSON,
President.

LOAN RATES, BY STATES, 1943, AMERICAN-EGYPTIAN COTTON LOAN PROGRAM

[Rates in cents per pound, net weight]

Grade No.	Staple length (inches)							
	1 $\frac{3}{8}$		1 $\frac{7}{8}$		1 $\frac{1}{2}$		1 $\frac{3}{4}$ and longer	
	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas
1.....	39.25	39.50	40.70	40.95	42.85	43.10	44.45	44.70
1 $\frac{1}{2}$	38.20	38.45	39.70	39.95	41.85	42.10	43.45	43.70
2.....	37.15	37.40	38.65	38.90	40.80	41.05	42.35	42.60
2 $\frac{1}{2}$	36.10	36.35	37.60	37.85	39.75	39.95	41.25	41.50
3.....	34.05	34.30	35.55	35.75	37.65	37.85	39.15	39.40
3 $\frac{1}{2}$	29.55	29.80	31.75	32.00	34.25	34.50	36.80	37.05
4.....	24.70	24.95	27.95	28.20	31.85	32.10	33.65	33.90
4 $\frac{1}{2}$	20.10	20.35	23.40	23.65	28.70	28.95	31.70	31.95
5.....	17.65	17.90	20.60	20.85	23.60	23.85	26.60	26.85

[F. R. Doc. 44-2983; Filed, March 1, 1944; 11:13 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration
(Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

1944 WAGE RATES FOR SUGARCANE IN
VIRGIN ISLANDS

Determination of fair and reasonable wage rates for persons employed in the production, cultivation or harvesting of sugarcane in the Virgin Islands during the calendar year 1944.

Pursuant to the provisions of subsection (b) of section 301 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued.

§ 802.51b *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during 1944.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met in the Virgin Islands during the calendar year 1944 if all persons employed on the farm during that period in the production, cultivation, or harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following:

(a) *Time rates.* Per day of 8 hours, \$1.36. For a working day longer or shorter than 8 hours the rate shall be the hourly equivalent of the day rate.

(b) *Piece rates.* Persons employed on a piece rate basis shall be paid at rates which will result in earnings of not less than the day or hourly rate as provided in paragraph (a)

(c) *General provisions.* (1) The producer shall furnish the laborer, without charge, the perquisites customarily furnished by him, such as a dwelling, garden plot, pasture lot, and medical services.

(2) The producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above.

(3) Nothing in this determination shall be construed to mean that a producer may qualify for a payment under

the said act who had not paid in full the amount agreed upon between the producer and the laborer.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1940 ed. 1131, E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 2d day of March, 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-3039; Filed, March 2, 1944; 11:32 a. m.]

Chapter IX—War Food Administration
(Marketing Agreements and Orders)PART 942—MILK IN THE NEW ORLEANS,
LOUISIANA, MARKETING AREA

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U. S. C. 1940 ed. 601 et seq.) hereinafter referred to as the "act" and of the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area, it is hereby determined that the provisions of such order which provide for a decrease in the prices for Class I and Class II milk during the months subsequent to March 31, 1944, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., April 1, 1944, the following provisions of § 942.5 (a) (1) and § 942.5 (a) (2) of the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area, are hereby suspended:

In § 942.5 (a) (1) "through March 1944, and \$2.74 per hundredweight thereafter."

In § 942.5 (a) (2) "through March 1944, and \$2.07 per hundredweight thereafter,"

(E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 29th day of February 1944.

THOMAS J. FLAVIN,
Assistant to the
War Food Administrator.

[F. R. Doc. 44-2332; Filed, March 1, 1944; 11:13 a. m.]

Chapter X—War Food Administration
(Production Orders)

[3d Rev. FPO 9, Order 7]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS
OF OILSEED FOR APRIL, 1944

Pursuant to the authority vested in me by Food Production Order No. 9, Revision No. 3 (8 F.R. 16860) issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that:

§ 1220.9 *Set aside requirements for processors of oilseed for April 1944*—(a) *Amount to be set aside.* Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal") during April 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop" and this order shall not apply to oilseed meal produced under such contracts.

(b) *Sale and delivery of oilseed meal set aside.* (1) Oilseed meal set aside pursuant to this order shall not be sold or delivered by any processor except to a buyer named in a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed and Livestock Branch, Office of Production, War Food Administration. The certificate shall be in substantially the following form:

CERTIFICATE OF DESIGNATED BUYER

_____ is authorized to purchase and accept delivery of _____ (tons-pounds) of oilseed meal from amounts set aside by _____ of _____ (Name of Processor)

_____, pursuant to the order (Address of Processor)

of the Director of Food Production. (If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why delivery was not made.)

FOOD PRODUCTION ADMINISTRATION.

_____ Agricultural Conservation Committee of _____ (Address)

J. E. HUTTON, Director.

By _____ (Chairman)

Expiration Date _____

(2) Agricultural Conservation Committee may commence issuing Certificates of Designated Buyers pursuant to this order during March 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during March 1944. A processor shall be entitled to credit such deliveries made in March 1944 against the quantity of oilseed meal which he is required to set aside in April 1944, if he makes the report provided for in paragraph (d) (1) hereof.

(3) Shipment of any oilseed meal, set aside pursuant to this order must be made by a processor within twelve days of the receipt of any such certificate.

(4) The original and the processor's copy of appropriately executed certificates shall be sent by the person responsible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (d) (2).

(c) *Existing contracts.* If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, refuse to make delivery of more than twenty percent of the oilseed meal covered by any such contract.

(d) *Processor's reports.*—(1) *Report of tonnage for March delivery for credit against April set aside.* If a processor wishes to make deliveries of oilseed meal pursuant to this order in March 1944 for credit against his set aside in April 1944, he must report to the Director in writing (or by telegraph) not later than March 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in March 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) *Report of tonnage set aside and deliveries made.* Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than May 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) *Certificates issued by County Agricultural Conservation Committees.* No County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Food Production, War Food Admin-

istration, Washington 25, D. C., Ref: FPO 9-7.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FPO 9, Rev. 3, 8 F.R. 16960)

Issued this 1st day of March 1944.

J. B. HUTTON,
Director of Food Production.

[F. R. Doc. 44-3040; Filed, March 2, 1944;
11:32 a. m.]

Chapter XI—War Food Administration

/ [FDO 79-8, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN OMAHA-COUNCIL BLUFFS SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426) dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-8 (8 F.R. 13372) relative to the conservation and distribution of fluid milk in the Omaha-Council Bluffs milk sales area, issued by the Director of Food Distribution on September 30, 1943, is hereby amended by deleting therefrom the provisions in § 1401.35 (f) and inserting, in lieu thereof, the following:

(f) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be computed in accordance with (e) hereof, except that the applicable percentages shall be 100 percent in lieu of the percentages specified in (e) (3).

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-8, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-8, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2945; Filed, February 29, 1944;
12:25 p. m.]

[FDO 79-18, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FT. WAYNE, INDIANA, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426) dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-18 (8 F.R. 13429) rela-

tive to the conservation and distribution of fluid milk in the Ft. Wayne, Indiana, milk sales area, issued by the Director of Food Distribution on October 1, 1943, is hereby amended by deleting therefrom the provisions in § 1401.53 (h) and inserting, in lieu thereof, the following:

(h) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary junior high, and high schools, and (4) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-18 rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-18, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2946; Filed, February 29, 1944;
12:25 p. m.]

[FDO 79-43 Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EASTERN NEW ENGLAND METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426) dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-43 (8 F.R. 13997) relative to the conservation and distribution of fluid milk in the Eastern New England metropolitan milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.74 (a) (3) and inserting, in lieu thereof, the following:

(3) The term "sub-handler" means any handler, who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-43, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-43, as amended, shall be deemed to be in full

force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2947; Filed, February 29, 1944;
12:25 p. m.]

[FDO 79-44, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SPRINGFIELD-HOLYOKE, MASS., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-44 (8 F.R. 13968), relative to the conservation and distribution of fluid milk in the Springfield-Holyoke, Massachusetts, milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.78 (a) (3) and inserting, in lieu thereof, the following:

(3) The term "sub-handler" means any handler, who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-44, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-44, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2948; Filed, February 29, 1944;
12:25 p. m.]

[FDO 79-47, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN INDIANAPOLIS, IND., METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-47 (8 F.R. 14069), relative to the conservation and distribution

of fluid milk in the Indianapolis, Indiana, milk sales area, issued by the Director of Food Distribution on October 14, 1943, is hereby amended by deleting therefrom the provisions of § 1401.79 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-47, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-47 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2949; Filed, February 23, 1944;
12:25 p. m.]

[FDO 79-73, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN DIEGO, CALIF., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-73 (8 F.R. 14367), relative to the conservation and distribution of fluid milk in the San Diego, California, milk sales area, issued by the Director of Food Distribution on October 22, 1943, as amended, is hereby further amended by deleting therefrom the description of the sales area in § 1401.85 (b) and inserting in lieu thereof, the following:

Beginning at the intersection of the shore line of the Pacific Ocean with the northern boundary in the city of Ocean-side and running thence north easterly at right angles to said shore line, a distance of two (2) miles; thence south easterly parallel to and two (2) miles distant at right angles from the shore line of said Pacific Ocean to an intersection with the northern boundary of township 14 S. Range 3 W., S. B. B. M. (Del Mar); thence east along township lines to the northeast corner of township 14 S. Range 1 W. (Foster); thence south along township lines to an intersection with the boundary line between the Unit-

ed States and Mexico; thence westerly along said boundary to an intersection with the shore line of the Pacific Ocean; thence in a general northern direction following said shore line to the place of beginning. The following communities are included in the above area; Ocean-side, Carlsbad, South Coast Park, Encinitas, Cardiff, Solana Beach, Del Mar, Lakeside, the city of San Diego and communities embraced therein, the city of La Mesa, the city of El Cajon, the city of National City, the city of Chula Vista, Imperial Beach, Palm City, Otay and San Ysidro, and the city of Coronado.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-73, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-73, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2950; Filed, February 23, 1944;
12:26 p. m.]

[FDO 79-83, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PORTLAND, MAINE, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-83 (8 F.R. 14654), relative to the conservation and distribution of fluid milk in the Portland, Maine, milk sales area, issued by the Director of Food Distribution on October 23, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.116 (a) (3) and inserting, in lieu thereof, the following:

(3) The term "sub-handler" means any handler, who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-83, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-83, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944:

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 44-2951; Filed, February 29, 1944; 12:26 p.m.]

[FDO 79-97, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MANCHESTER, NEW HAMPSHIRE, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-97 (8 F.R. 15481), relative to the conservation and distribution of fluid milk in the Manchester, New Hampshire, milk sales area, issued by the Director of Food Distribution on November 6, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.122 (a) (3) and inserting, in lieu thereof, the following:

(3) The term "sub-handler" means any handler, who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-97, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-97, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 44-2952; Filed, February 29, 1944; 12:26 p. m.]

[FDO 79-140]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO CHIEF, DAIRY AND POULTRY BRANCH, OFFICE OF DISTRIBUTION, WITH RESPECT TO FLUID MILK AND CREAM

Pursuant to the authority vested in the Director by Food Distribution Order No. 79 (8 F.R. 12426), issued by the War Food Administrator on September 7, 1943, as amended, and in order to effectuate the purposes thereof, it is hereby ordered, as follows:

§ 1401.169 *Delegation of authority—*
(a) *Definitions.* When used herein, un-

less otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "FDO 79" means Food Distribution Order No. 79, issued by the War Food Administrator on September 7, 1943, as amended.

(2) Each term defined in FDO 79 shall, when used herein, have the same meaning as set forth in said FDO 79.

(b) *Authority delegated.* The authority vested in the Director is hereby delegated to the Chief of the Dairy and Poultry Branch, Office of Distribution, to review, and after such review, to affirm, modify, or reverse:

(1) Rulings made by a market agent pursuant to Food Distribution Order No. 79-102 (8 F.R. 16313) issued by the Director on November 30, 1943, as amended; and

(2) Transfers and apportionment of quotas, or denials of such by the market agent, as provided in any order heretofore or hereafter issued by the Director allocating milk, cream, or milk byproducts pursuant to FDO 79.

(c) *Retention of authority by Director.* Nothing contained herein shall be construed to abrogate any power or authority vested in the Director by FDO 79.

(d) *Effective date.* The provisions hereof shall become effective at 12:01 a. m., e. w. t., February 29, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of February 1944.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 44-2944; Filed, February 29, 1944; 12:25 p. m.]

[FDO 19, Amdt. 2]

PART 1455—SPICES

RESTRICTED SPICES

Food Distribution Order No. 19, issued by the Acting Secretary of Agriculture on February 8, 1943, as amended (8 F.R. 1827, 8916), is further amended to read as follows:

§ 1455.1 *Conservation and distribution of restricted spices—*(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) The term "Director" means the Director of Food Distribution, War Food Administration.

(3) The term "governmental agency" means (i) the Armed Services of the United States (for the purposes of this order, including, but not restricted to, the United States Army post exchanges; sales commissaries; United States Navy ships' service departments; and United States Marine Corps post exchanges);

(ii) Office of Distribution, War Food Administration (including, but not re-

stricted to, the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the War Food Administrator. The term "governmental agency" also includes any person who, pursuant to a food distribution regulation, is entitled to purchase any restricted spice subject to this order.

(4) The term "Armed Services of the United States" means the Army, the Navy, the Marine Corps, or the Coast Guard of the United States.

(5) The term "restricted spice" means any spice designated by the Director which, during any quota period, is subject to a quota fixed for that period by the Director, and shall include such spice in ground, unground, distilled, mixed or other form. Such term shall also include the quantity of each such restricted spice which is contained in a spice blend.

(6) The term "spice blend" means the mixture of restricted spice with other restricted or unrestricted spice or some other material, which results in another spice product, such as, but not restricted to, pickling spice, curry powder, poultry seasoning, or imitation spice.

(7) The term "bulk dealer" means any person who deals in restricted spice exclusively in the original import package.

(8) The term "packer" means any person who grinds, distills, or packs restricted spice owned by him, or has such spice ground, distilled, or packed for his account by some other person, for resale.

(9) The term "receiver" means any person who accepts delivery of restricted spice for resale at wholesale or retail, or for use in operating a public, private, commercial, or institutional eating place, but such term shall include neither any bulk dealer nor any governmental agency.

(10) The term "industrial user" means any person who uses restricted spice in the manufacture or processing of any product, other than a spice blend, for resale.

(11) The term "weight equivalent" means the number of pounds of dry restricted spice (ground or unground) necessary to produce a given quantity of distilled or extracted spice.

(b) *Quota restrictions.* (1) Except as otherwise permitted by the provisions hereof, no packer shall deliver, no receiver shall accept, and no industrial user shall use more of any restricted spice during any quota period than his quota for such restricted spice for that period; such quota period and quota to be determined by the Director from time to time: *Provided,* That no receiver shall include, in computing his quota, or charge against his quota, any restricted spice or restricted spices contained in a spice blend accepted by him.

(2) The base period for any person who was not in business during any base period specified by the Director for computing a quota hereunder shall be the earliest period of equal length that such person was in business after the beginning of the base period so specified by the Director.

(3) All quotas hereunder shall be computed in terms of pounds and, if a dis-

tilled or extracted spice, the weight equivalent.

(c) *Unused quotas.* Any person who does not utilize, during any quota period, his quota of restricted spice for such quota period may utilize the unused portion of such quota only in the next succeeding quota period and then only if he has used his entire quota for such subsequent quota period.

(d) *Exemptions.* (1) Restricted spice delivered to a governmental agency or used in the manufacture of a product delivered to a governmental agency shall not be charged to the delivery, acceptance, or use quota of the person who so delivers or uses such restricted spice. Restricted spice obtained by any person for delivery to a governmental agency, use in the manufacture of a product delivered to a governmental agency, replacing restricted spice so delivered or used, or delivered to a third person for any such use shall not be charged to the delivery, acceptance, or use quota of either the person obtaining the restricted spice, or the person from whom such restricted spice is obtained, if the person who so obtains the restricted spice certifies in writing to the supplier thereof that the restricted spice so delivered is to be utilized for any of the foregoing purposes.

(2) No person shall, in computing his quota, include any quantity of restricted spice which was delivered to, or used in the manufacture of any product delivered to, a governmental agency in the base period.

(3) The restrictions of (b) (1) shall not apply to any deliveries of restricted spice in the original import package by a packer to another packer or to a bulk dealer. In determining a packer's volume of deliveries of restricted spice during the base period specified for computing a quota, no packer shall include any deliveries of restricted spice made in the original import package to other packers or to bulk dealers.

(e) *Distribution restrictions.* (1) No person shall accept restricted spice from any bulk dealer, packer, or receiver, and no person shall deliver restricted spice to any other person, with knowledge or reason to believe that such bulk dealer, packer, or receiver is not entitled to deliver such restricted spice or that such other person is not entitled to accept such restricted spice pursuant to the provisions of this order.

(2) Each bulk dealer, packer, and receiver shall sell restricted spice equitably to purchasers and shall not favor purchasers who buy other products from them or discriminate against purchasers who do not buy other products from them.

(f) *Inventory restrictions.* Except for the purpose of filling orders under (d) (1) hereof:

(1) No packer shall accept, during any quota period, delivery of a quantity of black or white pepper which will cause the total quantity of black pepper and white pepper owned by such person to be in excess of an amount equal to the sum of such packer's delivery quotas for black pepper and white pepper for the then

current quota period and the next succeeding quota period.

(2) No receiver shall accept, during any quota period, delivery of any restricted spice which will cause the total quantity of such restricted spice owned by the respective receiver to exceed his quota for such restricted spice for such quota period: *Provided*, That this restriction shall not apply to the quantity of restricted spice contained in a spice blend accepted by any such receiver.

(3) No industrial user shall accept, during any quota period, delivery of a quantity of any restricted spice which will cause the total quantity of such restricted spice which is owned by him to exceed a practicable minimum working inventory, in view of the restrictions herein relating to his use of such spice.

(g) *Applicability of order.* (1) Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business exclusively within any Territory or Possession of the United States with respect to such business.

(2) In the case of any person who combines two or more of the businesses of a packer, a receiver, or an industrial user, the provisions hereof applicable to each such business shall apply separately to such of his operations as are part of such class of business. However, any packer who distributes his entire production of restricted spices through a wholesale subsidiary company may elect to consider the two companies as one and apply his quota to deliveries made by the subsidiary company.

(3) Any person who operates more than one unit (branch, division, store, subsidiary company, or other similar unit) in the same class of business may, at his election, consider any such units or groups of units as separate persons for purposes of applying the quota and inventory restrictions of this order.

(h) *Contracts.* The provisions of this order, or of any orders or regulations issued in pursuance hereof, shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued, or payments made thereunder.

(i) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of any person's books, records and other writings, premises or stocks of spice, and to make such investigations as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order.

(j) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall maintain, for at least two years, or for such period of time as the Director may designate, an accurate record of his transactions in spices.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(m) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using any material or facilities subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials or facilities subject to the priority or allocation control of other governmental agencies. In addition, any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, United States Department of Agriculture, Washington 25, D. C., Ref. FD 19.

(o) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of Food Distribution Order No. 19, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 19, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-2353; Filed, February 23, 1944; 3:44 p. m.]

[FDO 19-2, Amdt. 1]

PART 1455—SPICES

RESTRICTED SPICES QUOTAS

Director Food Distribution Order No. 19-2, § 1455.3 (8 F.R. 8918, 9177) issued by the Director of Food Distribution on June 28, 1943, is amended to read as follows:

§ 1455.3 *Quotas for restricted spices.* (a) When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof, each term defined in Food Distribution Order No. 19, as amended, shall have the same meaning as is set forth for such term in said Food Distribution Order No. 19, as amended.

(b) For the quarterly period of three months beginning on January 1, 1944, and for each subsequent quarterly period of three months, the quota of each restricted spice, as listed hereinafter, for each packer, receiver, and industrial user shall be the following percentage of the amount of such spice delivered by the respective packer, accepted by the respective receiver, or used by the respective industrial user during the corresponding quarterly period of 1941 or during such other base period as is provided for in § 1455.1 (b) (2) of Food Distribution Order No. 19, as amended:

Restricted spice:	Quota percentage
Black pepper and white pepper.....	40
Cassia (cinnamon).....	35
Ginger.....	100
Mace.....	80
Nutmeg.....	70

(c) In lieu of a quota computed pursuant to (a) hereof, any packer, receiver, or industrial user may avail himself of a quota for any quota period of three months, as specified herein, of a total of 75 pounds of any restricted spice or any combination of restricted spices: *Provided*, That no more than 40 pounds of such 75 pounds alternative quota may consist of any restricted spice or any combination of restricted spices, exclusive of spice blends, having a quota percentage of 60 or less: *Provided, further* That no person who avails himself of the provisions of § 1455.1 (g) (2) of Food Distribution Order No. 19, as amended, shall, in computing his quota pursuant to (b) hereof, include amounts of any restricted spice or any combination of restricted spices, exclusive of spice blends, delivered, accepted, or used in his business unit or units, for which he has availed himself of the alternative quota as permitted hereunder.

(d) Each bulk dealer and each packer shall correctly complete Form FDO 19-1 for each quota period and submit such completed form to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FD-19, on or before the 15th day of the month following the termination of each such quota period.

(e) The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) This order supersedes in all respects Food Distribution Order No. 19-1,

issued by the Director of Food Distribution on February 8, 1943, as amended, except that, as to violations of said order, as amended, or rights accrued, liabilities incurred, or appeals taken under said order, or any violation of Food Distribution Order No. 19-2, rights accrued, or appeals taken under said Food Distribution Order No. 19-2, said Food Distribution Order No. 19-1, as amended, and Food Distribution Order No. 19-2 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(g) This order shall become effective as of 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 14783; FDO 19, 8 F.R. 1827, 8916)

Issued this 29th day of February 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-2959; Filed, February 29, 1944; 3:44 p. m.]

[FDO 59, Revocation]

PART 1460—FATS AND OILS

CRUDE FISH OIL

Pursuant to the authority vested in the War Food Administrator, it is ordered as follows:

That Food Distribution Order No. 59 (8 F.R. 9104) issued by the Acting War Food Administrator on July 30, 1943, be, and the same is hereby, revoked and terminated.

This order shall become effective on March 1, 1944 at 12:01 a. m., e. w. t. However, with respect to violations of Food Distribution Order No. 59, or rights accrued, or liabilities incurred, prior to said date, said Food Distribution Order No. 59 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator

[F. R. Doc. 44-2960; Filed, February 29, 1944; 3:44 p. m.]

TITLE 12—BANKS AND BANKING

Chapter III—Federal Deposit Insurance Corporation

PART 304—PAYMENT OF DEPOSITS AND INTEREST THEREON BY INSURED NONMEMBER BANKS

DEMAND DEPOSITS

As a result of the adoption of the rule of December 6, 1943, as amended by the rule of February 29, 1944, the following note is hereby added to § 304.2 (a.)

¹ Filed with the Division of the Federal Register.

NOTE: The absorption of normal or customary exchange charges by an insured non-member bank, in connection with the routine collection for its depositors of checks drawn on other banks, does not constitute the payment of interest within the provisions of this part.

[SEAL] FEDERAL DEPOSIT
INSURANCE CORPORATION,
By E. F. DOWNEY,
Secretary.

[F. R. Doc. 44-3018; Filed, March 1, 1944; 11:48 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51014]

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

REMISSION OF FINES, PENALTIES AND FORFEITURES

The first sentence of paragraph (c) § 23.23, Customs Regulations of 1943 (19 CFR 23.23 (c)) is hereby amended to read as follows:

Except as provided for in § 23.21 (b) if the person liable for any violation of the customs or navigation laws fails to petition for relief or pay the penalty within 60 days from the date of mailing of the notice of violation as provided for in paragraph (a) of this section, (1) the case shall be referred immediately to the United States attorney for appropriate action unless it appears that the person liable for the penalty is absent from the United States or during the said period was absent for more than 30 days, in which event the collector may withhold such action for a further reasonable time, or (2) if the person liable cannot be found, if deceased, is insolvent, is beyond the reach of legal process and likely to remain so, or if for any other reason the facts so warrant, the facts shall be reported to the Bureau with a request for authority to close the case without prejudice to further action.

(R.S. 161, secs. 618, 624, 46 Stat. 757, 759; 5 U.S.C. 22, 19 U.S.C. 1618, 1624; E.O. 9083, 7 F.R. 1609)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: February 29, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3054; Filed, March 2, 1944; 11:46 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[G.O. 60-1B]

PART 701—PRIVATE AND PUBLIC WAR HOUSING

ELIGIBILITY FOR OCCUPANCY

NOTE: General Order 60-1B of the National Housing Agency (F.R. Doc. 44-2995) was filed with the Division of the Federal Register at 12:20 p. m. on Wednesday, March 1, 1944.

[G.O. 60-8].

PART 702—PRIVATE WAR HOUSING

COMPLIANCE WITH STANDARDS OF WAR
WORKER ELIGIBILITY

NOTE: General Order 60-8 of the National Housing Agency (F.R. Doc. 44-2996) was filed with the Division of the Federal Register at 12:20 p. m. on Wednesday, March 1, 1944.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-490]

VARDAMAN SHOE COMPANY

Vardaman Shoe Company is a Missouri corporation with offices at 320 North 4th Street, St. Louis, Missouri, and a shoe factory at Owensville, Missouri. Its affairs are now being administered by a Trustee in Bankruptcy under the provisions of the Corporate Reorganization Act. Between April 1, 1943, and August 15, 1943, it manufactured and sold 15,428 pairs of boots, known as women's, and misses' "field boots" in violation of War Production Board Conservation Order M-217. The restrictions of the order were known to the company and the manufacture and sale of these "field boots" which were not permitted under the order, must be deemed to be in wilful violation of the order.

These violations of Conservation Order M-217 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.490 *Suspension Order No. S-490.* (a) During the six month period beginning March 1, 1944, and ending September 1, 1944, the maximum number of pairs of shoe that Vardaman Shoe Company may put into process, manufacture or complete, shall be 15,000 pairs less than its quota as determined by the provisions of Conservation Order M-217. Such deductions from its quota shall be made only in what is known as the women's and growing girls' line, at the rate of 2,500 pairs per month. This reduction in quota shall apply to the Trustee in Bankruptcy and all successors and assigns of the Trustee and the Company.

(b) Nothing contained in this order shall be deemed to relieve Vardaman Shoe Company, its Trustee, or the successors and assigns of the Trustee or the Company, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same

No. 45—2

may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 1, 1944, and shall expire on September 1, 1944.

Issued this 17th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3016; Filed, March 1, 1944;
4:44 p. m.]

PART 3293—CHEMICALS

[Conservation Order M-353 as Amended Feb.
29, 1944]

PURE TITANIUM DIOXIDE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of titanium dioxide for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.546 *Conservation Order M-353—(a) Definitions.* (1) "Titanium dioxide" means any pigment containing more than 12 per cent titanium dioxide whether alone or admixed with or precipitated on inerts, extenders, or opaque pigments.

(2) "Military order" means any purchase order for titanium dioxide which is to be used in the manufacture of products delivered or to be delivered to, or to be used on, or incorporated in, material or equipment delivered or to be delivered to, the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission or the War Shipping Administration, or to or for the account of any foreign country under the Act of March 11, 1941 (Lend-Lease Act)

(b) *Inapplicability of certain preference ratings.* No person shall give any effect to any preference ratings below AA-2 on any purchase order for titanium dioxide, unless the person placing such purchase order furnishes a certificate in substantially the following form signed by a duly authorized official, either manually or as provided by Priorities Regulation No. 7:

The undersigned hereby certifies to the War Production Board and to _____ [insert name and address of supplier] that he is familiar with the provisions of Order No. M-353 and that his purchase order, dated _____, for titanium dioxide is a military order as defined in Order M-353.

(Name of purchaser)

By _____
(Signature and title of duly
authorized official)

Orders rated below AA-2, not accompanied by the certificate, may be filled as unrated orders to the extent permitted by Priorities Regulation No. 1. The certificate need not be filed with the War

* This document is a restatement of Amendment 1 to M-353, as amended December 24, 1943, which appeared in the FEDERAL REGISTER of March 1, 1944, page 2330, and reflects the order in its completed form as of February 29, 1944.

Production Board. Any person receiving it may rely upon it in filling orders unless he knows or has reason to believe that it is false. The standard certification described in Priorities Regulation No. 7 may not be used instead.

(c) *Special directives.* The War Production Board may at any time, issue special directives to any person respecting the production or delivery of titanium dioxide, notwithstanding the other provisions of this order.

(d) [Deleted Feb. 29, 1944]

(e) *Applicability of regulations.* Except as provided in paragraph (b) above, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-353.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3017; Filed, March 1, 1944;
4:44 p. m.]

PART 1226—GENERAL INDUSTRIAL
EQUIPMENT

[Limitation Order L-83 as Amended March
2, 1944]

INDUSTRIAL MACHINERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of industrial machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.82 *General Limitation Order L-83—(a) Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Critical industrial machinery" means new, used or reconditioned machinery, of the kinds listed, from time to time, in List A. The value of a critical industrial machine shall be the selling price, or in any case where the machine

is rented, the cost of production (as indicated by the company's regularly established cost accounting system) excise tax value, or insurance value, whichever is higher. The term "new critical industrial machinery" means any critical industrial machinery which has not been delivered to any person acquiring it for use, and does not include used or reconditioned machinery. The term "used critical industry machinery" means any critical industrial machinery which at any time has been delivered to any person acquiring it for use, but does not include rebuilt machinery. The term "reconditioned critical industrial machinery" means used machinery which has been rebuilt or otherwise conditioned for resale, or reuse.

(3) "Manufacturer" means any person producing critical industrial machinery.

(4) "Distributor" means any person regularly engaged in the business of buying or otherwise acquiring new, used, or reconditioned machinery for resale.

(5) "Order" means any commitment or other arrangement for the delivery of critical industrial machinery, whether by purchase, lease, rental, or otherwise.

(6) "Approved order" means:

(i) Any order for critical industrial machinery, when accompanied by a PD-3A certificate, to be delivered to, or for the account of:

(a) The Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(b) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

(ii) Any order placed by any agency of the United States Government for critical industrial machinery to be delivered to, or for the account of, the government of any country listed above, or any other country, including those in the western hemisphere, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act)

(iii) Any order for critical industrial machinery bearing a preference rating of A-9 or higher assigned by a Preference Rating Certificate PD-3 or PD-3A countersigned prior to May 18, 1942, by a Preference Rating Order in the P-19 series issued prior to May 18, 1942, or by a Preference Rating Certificate PD-1 or PD-1A, a Preference Rating Certificate in the PD-25 or PD-408 Series, or Preference Rating Order P-19-h (PD-200 or 200A) issued at any time. After May 18, 1942, Preference Rating Certificate PD-3A shall be used only to assign preference ratings to approved orders to be delivered to or for the account of the agencies set forth in subdivision (i) hereof. Any preference rating certificate or order of any of the kinds enumerated above may be used to secure critical

industrial machinery only by the person to whom it was originally issued and only when such machinery is expressly specified on the certificate or order (or its Form PD-200 or 200A). Any person placing an approved order for critical industrial machinery bearing a rating assigned by any such certificate or order who does not deliver such certificate or order but retains the same, as permitted by Priorities Regulation No. 3, as amended from time to time, or by the terms of the preference rating order shall, in addition to furnishing the endorsement required by such Priorities Regulation No. 3, as amended from time to time, or such preference rating order certify to the person from whom the machinery is to be acquired that the certificate or order was originally issued to him and that the critical industrial machinery ordered was expressly specified on the certificate or order (or its Form PD-200 or 200A).

(iv) Any order which the War Production Board authorizes for production or delivery pursuant to paragraph (b) (2) hereof.

(b) *Restrictions on acceptance of orders for and delivery and acquisition of critical industrial machinery*—(1) *General prohibitions.* Except as provided in paragraph (b) (4) hereof, no person shall accept any order for critical industrial machinery, or deliver any critical industrial machinery in fulfillment of any order, whether accepted or not; unless such order is an approved order. No person shall accept delivery of any critical industrial machinery except pursuant to an approved order.

(2) *Procedure for authorization of orders on books.* Manufacturers or distributors may apply for authorization to deliver orders which are not approved orders, on their books on May 18, 1942, as it affects classes of critical industrial machinery from time to time, by filing with the War Production Board in triplicate, plainly marked Ref: L-83, a list of all such orders together with the name of the purchaser or lessee, the date of the order, the number of pieces of machinery, a description of the machinery, the value of the machinery, the rating assigned, if any, the preference rating certificate number, if any (or blanket preference rating order and serial number) the specified delivery date, the percentage of completion of the order on May 18, 1942, as it affects any particular kind of machinery, and the expected use to which the machinery will be put. The War Production Board may thereupon, if it is deemed necessary or appropriate in the public interest and to promote the national defense, authorize the delivery of any such orders, or the assignment of preference ratings thereto.

(3) *Auction sales, sales pursuant to court order and similar transactions.* Dispositions of used critical industrial machinery at auction, at sheriff's sale, at tax sales, in liquidations of all or part of a business, and in similar transactions must be approved orders unless such dispositions are made to distributors within the limits specified in paragraph (b) (4) (vii)

(4) *Exempted transactions.* Nothing in this order shall be construed to prohibit any of the following transactions:

(i) The seizure of critical industrial machinery (but not subsequent disposition or use thereof) upon default, by any person pursuant to the terms of a conditional sale agreement, chattel mortgage, pledge, or other security agreement; and the distraint or levy by execution (but not subsequent disposition thereof) by tax authorities.

(ii) The delivery or acquisition of critical industrial machinery (but not subsequent disposition thereof) through a transfer by will or intestacy, or a transfer by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, receivership, or assignment for the benefit of creditors.

(iii) The delivery or acquisition of critical industrial machinery as part of a transaction, such as merger, consolidation, sale and purchase of assets, sale and purchase of stock, or lease of plant, involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(iv) The transfer of critical industrial machinery, within a plant, or within a single corporate enterprise (including majority-owned subsidiaries) from one plant or branch to another: *Provided, however* That nothing in this subdivision (iv) shall be construed to permit transfers from a portion of an enterprise manufacturing, building, or assembling new machinery to a portion using it.

(v) The delivery or acquisition of critical industrial machinery (but not subsequent disposition thereof) as a trade-in, where the machinery to be installed is delivered pursuant to an approved order.

(vi) Deliveries to, and acquisitions by distributors, of new critical industrial machinery in the following two instances only:

(a) To fill approved orders for new critical industrial machinery which orders are actually in the hands of such distributors; or

(b) To replace new critical industrial machinery delivered by such distributor to fill an approved order.

(vii) Deliveries to, and acquisitions by, distributors of used critical industrial machinery (but not subsequent dispositions thereof) at auction, sheriff's sales, tax sales, liquidations or otherwise.

(viii) Subject to the provisions of paragraph (c) the delivery of critical industrial machinery for repair and return, the return of a repaired machine, and the loan of a machine to the user, for a period not to exceed one month, pending the repair of the damaged machine.

(ix) The delivery and acquisition of critical industrial machinery to be scrapped for its material content.

(x) The unloading, from a vessel, of any imported critical industrial machinery.

(xi) The transfer of any interest in, any written instrument evidencing an interest in critical industrial machinery

Provided, however That nothing in this subdivision (xi) shall be construed to permit the physical delivery or use of critical industrial machinery.

(xii) The return of any leased critical industrial machinery by the lessee to the lessor upon the expiration, termination, or cancellation of the lease.

(c) *Non-applicability to repair or maintenance of existing equipment.* The prohibitions of paragraph (b) hereof shall not be construed to restrict any delivery (1) to fill any order or group of orders of less than \$1,000 placed with one or more suppliers within any four weeks' period, for parts intended for use in the repair or maintenance of any single existing machine, or a single machine delivered under the terms of this order, or (2) to fill any order of \$1,000 or more for repair or maintenance parts when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts or the like, and the essential repair or maintenance parts are not otherwise available.

(d) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(f) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington 25, D. C., Ref. L-83.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(h) *Records and reports.* All manufacturers and distributors affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for industrial machinery. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as said Board shall from time to time request. On or before 15 days

after May 18, 1942, as to any kind of machinery, every manufacturer of critical industrial machinery shall file in triplicate with the War Production Board, plainly marked Ref. L-83, a supplementary list of all orders for critical industrial machinery now on his books (in excess of the amounts listed in List A) not reported under paragraph (b) (2) together with the name of the purchaser or lessee, the date of the order, the number of pieces of machinery, a description of the machinery, the value of the machinery, the rating assigned, the preference rating certificate number, if any, (or blanket preference rating order and serial number) the specified delivery date, the percentage of completion of the order, and the expected use to which the machinery will be put. Manufacturers who have previously filed a list under the order need not refile.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

1. [Deleted March 2, 1944]
2. Pulp and paper making machinery, on orders for a single machine of a value in excess of \$1,000.
3. Paper converting machinery, on orders for a single machine of a value in excess of \$200.
4. [Deleted Sept. 6, 1943]
5. [Deleted June 16, 1943]
6. [Deleted June 16, 1943]
7. [Deleted June 16, 1943]
8. [Deleted June 16, 1943]
9. [Deleted June 16, 1943]
10. [Deleted June 16, 1943]
11. [Deleted Sept. 6, 1943]

[F. R. Doc. 44-3047; Filed, March 2, 1944;
11:34 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-83, Interpretation 1 as Amended March 2, 1944]

The following interpretation was issued with respect to Limitation Order L-83:

Paragraph (a) (2) of General Limitation Order L-83 defines "Critical industrial machinery" as new, used, or reconditioned machinery of the kinds listed from time to time in List A of the order, and provides that the value of a critical industrial machine shall be the selling price with certain exceptions. List A specifies the machinery included in the order. In certain instances, the list contains dollar limitations on the value of machines so included. For instance, pulp and paper making machinery is covered by General Limitation Order L-83 only on an order for a single machine of a value in excess of \$1000.

The selling price of a machine would normally establish its value for purposes of this order unless other facts indicated that such selling price was not the actual value placed upon the machinery by the buyer and seller. In any case where a used machine is sold with the understanding by buyer or seller

that the machine must be repaired or reconditioned in connection with or in relation to the sale transaction, in order that the machine be an effective instrument, the value of the machine for purposes of this order is to be deemed the aggregate of the selling price of the inoperable machine plus the cost of repairing or reconditioning the machine to the point where it can operate effectively. In other words, the sale of a broken down machine, followed by repairing or reconditioning in order that the machine be in condition to operate, does not avoid the impact of the order merely because the original sale of the inoperable machine is fixed at a value below the limitations established in General Limitation Order L-83; the cost of the repairs necessary to render the machine an effective instrument must be added to such original selling price in order to determine the value for the purposes of the order. (Issued December 17, 1942.)

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3043; Filed, March 2, 1944;
11:34 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-83, Interpretation 3, Revocation]

Interpretation 3 of Limitation Order L-83 is hereby revoked.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3043; Filed, March 2, 1944;
11:34 a. m.]

PART 3032—MOBILE HOUSING

[Limitation Order L-205, as Amended Mar. 2, 1944]

HOUSE TRAILERS AND EXPANSIBLE MOBILE HOUSES

Section 3032.1, Limitation Order L-205, is amended to read as follows:

§ 3032.1 *Limitation Order L-205—(a) What this order does.* This order tells what house trailers and expansible mobile houses may be made, what material may be used in making them, and how they may be sold.

(b) *Restrictions on production.* (1) Prior to June 30, 1944, the War Production Board will permit the manufacture of three thousand-house trailers. Any person who produced house trailers between January 1, 1942 and September 30, 1942 may participate in the production, except that no person will be authorized to produce house trailers if such production would interfere with war production by himself or by others. Production will be authorized in such a way as to avoid increasing requirements for labor in labor shortage areas. If a person wants to produce trailers he must ask permission of the War Production Board within twenty days by filing Form CMP-

4B requesting controlled materials. Any arrangement by one manufacturer to have house trailers produced for him by another must first be submitted to the War Production Board for approval. The War Production Board will, from time to time or on request of any manufacturer, give notice to all manufacturers of the total production authorized and the production authorized to each individual manufacturer.

(2) No person shall manufacture any house trailer, except a house trailer produced within the quota which the War Production Board has specifically notified such person that he is authorized to produce, and except that production specifically authorized on appeals prior to the present amended version of this order may be completed without charge against any quotas. No person shall deliver or accept delivery of any house trailer knowing that it was produced in violation of this paragraph.

(3) No person shall manufacture an expansible mobile house except to fill a specific order which has been placed with him by the Army, Navy, Maritime Commission, War Shipping Administration or the National Housing Agency.

(c) Restrictions on use of material in production. No person may manufacture a house trailer containing more than 410 pounds of iron and steel, exclusive of running gear, heater, stove, ice-box, water bucket, plumbing equipment and movable furniture. The copper and copper base alloy used shall be within the limitations established under Conservation Order M-9-c, but may not exceed four pounds per unit. The maximum interior body length may not exceed 23 feet. In the case of expansible mobile houses, the iron and steel used per house may not exceed 480 pounds, and the copper and copper base alloy, 5 pounds. The above limitations, however, shall not apply to iron or steel allotted under the Controlled Materials Plan for the specific purpose of providing for a larger use of iron or steel per unit than this paragraph permits.

(d) Restrictions on delivery. No person shall deliver a new or used house trailer manufactured after July 15, 1943, except that delivery may be made to a dealer for resale, and delivery may be made as specifically authorized by the War Production Board on Form WPB-3538. Any person who wants to sell a house trailer may apply by filing an original and two copies of Form WPB-3538 with the War Production Board's nearest local office for his District. The application will be returned to the seller with approval or denial indicated on the Form. The approved Form will be authority for the seller to deliver.

(e) Reports. Each person affected by this order shall execute and file with the

War Production Board such reports and questionnaires as may be requested by the Board from time to time; subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) Communications. All reports required hereunder and all communications concerning this order (except appeals and applications on Form WPB-3538) shall be addressed to War Production Board, Lumber and Lumber Products Division, Washington 25, D. C., Reference L-205.

(g) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) Appeals. Any appeal from the provisions of this order must be made on Form WPB-1477 and must be filed with the Field Office of the War Production Board of the District in which the person appealing is located.

(i) Definitions. For the purposes of this order:

(1) "House trailer" means a portable shelter designed and constructed to be used as a human habitation and to be towed or transported without being dismantled or substantially changed in form, not including an expansible mobile house.

(2) "Expansible mobile house" means a portable shelter designed and constructed to be used as a human habitation, and so constructed that its length or breadth may be mechanically enlarged and reduced.

(3) "Running gear" means the undercarriage used for transporting a mobile house, including wheels, axle, and springs.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3050; Filed, March 2, 1944;
11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L-68, as Amended
Mar. 2, 1944]

CLOSURES AND ASSOCIATED ITEMS

§ 3290.301 General Limitation Order L-68—(a) Definitions. In this order:

(1) "Copper bearing material" means "copper," "copper base alloys," "copper products" and "copper base alloy products," as defined in Conservation Order M-9-c.

(2) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc dust, scrap zinc, zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals. "Zinc" does not include such metal used as a protective coating applied to any of the items covered by this order.

(3) "Zinc products" means zinc in the form of sheet, strip, rod, wire, castings or dust.

(4) "Stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10% or more of chromium with or without nickel and/or other alloying elements.

(5) "Process" means to cut, punch, stamp, draw, mold, machine, cast, or in any manner to change the form of any metal or attach metal to tape.

(6) "Preferred order" means any purchase order, contract, or subcontract, in hand at the time of processing, from or for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. The exceptions in this order relating to preferred orders shall apply only for a material, and only to the extent, required by the applicable specifications.

Restrictions

(b) General restrictions. No person shall process any metal in the manufacture of any of the items (or parts thereof) listed on Schedule A attached to this order, except as specifically authorized in the said schedule and subject to the specific restrictions therein stated.

NOTE: Former paragraphs (c) through (g) deleted; former paragraphs (h) through (j) redesignated (c) through (j) Mar. 2, 1944.

(c) Restrictions on delivery and use. No manufacturer of an item covered by this order shall sell or deliver it and no person shall commercially buy, receive, or use any such item, knowing or having reason to believe that it was manufactured or that it is or will be sold, delivered or used contrary to the purposes and requirements specified in this order.

General Exceptions

(d) General exceptions. (1) The restrictions of this order shall not apply to:

(i) The sale, delivery or use of parts, manufactured prior to April 1, 1942, for the repair or reconditioning of used slide fasteners;

(ii) Any item covered by this order, necessary for use in safety equipment as defined and permitted by Limitation Order L-114.

(iii) The use of zinc or zinc products as permitted by paragraph (c) ("General exceptions.") of Conservation Order M-11-b.

(2) Subject only to the applicable quantity restrictions of Schedule A, zinc or steel may be used to fill preferred orders for any item listed on Schedule A.

For some time before July 15, 1943 trailers were authorized only for N. H. A. account. Beginning July 15, some trailers for private sale were authorized on appeal. If a dealer represents that a trailer was produced before July 15, the buyer should insist on evidence to show the date of production, and (if the date of production was after October 20, 1942) that production of the trailer was authorized.

(3) Zinc or zinc products may be used without restriction for plating any item covered by this order.

Equitable Distribution

(e) *Equitable distribution.* It is the policy of the War Production Board that items covered by this order not required to fill rated orders shall be distributed equitably. In making such distribution, due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location, or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed in writing, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington (25) D. C. Ref. L-68.

(i) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine and imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priorities control and may be deprived of priorities assistance.

(j) *Records.* Each manufacturer of an item covered by this order shall pre-

serve for at least two years complete and accurate records of inventories and receipts of each metal and alloy used, and of the production, deliveries, and inventories of each such item, classified according to the metal or alloy from which each such item was manufactured. The record-keeping provisions of this paragraph have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A added Mar. 2, 1944.

This schedule specifies the metals that may be used to manufacture any item listed. The word "yes" in the appropriate columns means that the metal may be used for such item. The word "no" means the metal may not be used. Reference to a note appearing in any column means that metal may be used in accordance with restrictions contained in the respective note. In the manufacture of any item listed, copper may be used only as permitted by Conservation Order M-9-c and M-9-c-1, aluminum may be used only as permitted by Conservation Order M-1-1, nickel may be used only as permitted by Order M-6-b, and silver may be used only as permitted by Conservation Order M-193, by appeals or otherwise under said orders.

Item	Materials may be used as indicated		
	Zinc or zinc products	Steel	Other restrictions
1. Boning tips.....	Yes.....	Yes.....	See note 3.
2. Buckles.....	No.....	Yes.....	See note 3.
3. Buckle molds.....	No.....	See note 1.	
4. Button molds.....	No.....	See note 1.	
5. Buttons and button backs for use on wearing apparel:			
(a) For use on overalls, overall suits and dungarees.....	No.....	Yes.....	See note 2.
(b) For use on coated fabric garments.....	See note 4.	Yes.....	See note 4.
(c) For use on all other wearing apparel.....	No.....	No.....	
6. Buttons and button shanks.....	Yes.....	Yes.....	See note 3.
7. Corset clasps and trims.....	No.....	Yes.....	See note 3.
8. Eyelets, grommets and grommet washers.....	Yes.....	Yes.....	See note 3.
9. Garter clasps and trim.....	No.....	Yes.....	See note 3.
10. Hooks and eyes and bracelet hooks.....	No.....	Yes.....	See note 3.
11. Hose supporters and trim.....	No.....	Yes.....	See note 3.
12. Loops, slides, slide loops and links:			
(a) For use on overalls, overall suits and dungarees.....	No.....	Yes.....	See note 3.
(b) For use on all other wearing apparel.....	No.....	Yes.....	See note 3.
13. Rivets and burrs:			
(a) For use on overalls, overall suits and dungarees.....	No.....	Yes.....	
(b) For all other uses.....	No.....	Yes.....	See note 3.
14. Slide fasteners.....	Yes.....	Yes.....	See note 3.
15. Snap fasteners.....	No.....	Yes.....	See note 3.
16. Suspender clasps and trim.....	No.....	Yes.....	See note 3.

NOTE 1: Only steel obtained under the requirements of Priorities Regulation 13 from idle or excessive inventories reported to the Steel Recovery Corporation or W. P. B., or steel obtained pursuant to Direction 44 of CMP Regulation 1, may be used.

NOTE 2: Such buttons shall be limited to open top buttons consisting of not more than two pieces exclusive of the tack or fastener and limited to 23 ligne fly buttons of plain design and 27 ligne buttons with wreath design for the remainder of the garment.

NOTE 3: In manufacturing establishments located in Groups 1 or 2 of the labor market areas designated by the War Manpower Commission, the quantity of material processed by any persons for such items in any calendar quarter shall not exceed the average quarterly poundage of all metals processed by such person for such purposes during the year ending June 30, 1941. If aluminum alloy is used, for computing total poundage of metals which may be processed each pound of aluminum shall be deemed the equivalent of three pounds of any other metal.

NOTE 4: Such buttons shall be limited to open or closed top buttons consisting of not

more than 4 pieces exclusive of the tack or fastener, and not exceeding 39 ligne in size. Zinc or zinc products may be used to manufacture backs and tack capping shells for such buttons.

NOTE 5: Loops, slides and slide loops for such men's garments shall be limited to one size not to exceed 1 3/8" and for such boys' garments to one size not to exceed 1 1/4".

NOTE 6: The quantity of all metals processed by any person for slide fasteners in any calendar quarter, exclusive of materials processed to fill preferred orders, shall not exceed 63 2/3% of the average quarterly poundage of all metals used for such purpose by such person during the year ending June 30, 1941. If aluminum alloy is used, for computing total poundage of metals which may be processed each pound of aluminum shall be deemed the equivalent of three pounds of any other metal. Stainless steel may be used only where required for anti-corrosive or non-magnetic properties to fill preferred orders.

[F. R. Doc. 44-3051; Filed, March 2, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration
PART 1347—PAPER, PAPER PRODUCTS, RAW
MATERIALS FOR PAPER AND PAPER PRO-
DUCTS, PRINTING AND PUBLISHING

[RMPR 187, Amdt. 4]

CERTAIN PAPERBOARD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 187 is amended in the following respects:

Footnote 2 to section 1 (c) (1) (iii) is revoked and section 1 (c) (1) (iii) is amended to read as follows:

(iii) Furthermore, in no event shall the raw material costs as computed in accordance with (c) (1) (i) and (ii) above, exceed the ceiling price in effect on March 31, 1943, as established by the Office of Price Administration, for such raw materials. Where the manufacturer acquires raw materials under (c) (1) (ii) above and where no ceiling price was in effect on March 31, 1943, for the transfers of such raw materials, the transfer price shall not exceed the highest amount at which such raw materials were transferred on or before March 31, 1943.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3008; Filed, March 1, 1944;
4:26 p. m.]

PART 1400—TEXTILE FABRICS: COTTON,
WOOL, SILK, SILK SYNTHETICS AND
MIXTURES

[MPR 127,¹ Incl. Amdt. 19]

FINISHED PIECE GOODS

Section 1400.82 (s) (1) is amended by Amendment 19, effective March 7, 1944, so that Maximum Price Regulation No. 127 shall read as follows:

In the judgment of the Price Administrator, the prices of finished piece goods have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of finished piece goods prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative

members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been prepared, issued simultaneously herewith and has been filed with the Division of the Federal Register.

Such specifications and standards as are used in this regulation, or schedule were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another government agency

[Preamble as amended by Supplementary Order No. 71, 8 F.R. 12556, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 127 is hereby issued.

Sec.

- 1400.71 Maximum prices for finished piece goods.
- 1400.72 Less than maximum prices.
- 1400.73 Conditional agreements.
- 1400.74 Evasion.
- 1400.75 Records.
- 1400.76 Reports.
- 1400.77 Details required in contract of sale or invoice.
- 1400.78 Exempt sales.
- 1400.78a War procurement.
- 1400.79 Enforcement.
- 1400.79a Licensing.
- 1400.80 Petitions for amendment or adjustment.
- 1400.81 Definitions.
- 1400.82 Appendix A: Maximum prices for finished piece goods.
- 1400.83 Temporary Maximum Price Regulation No. 10—Finished Piece Goods Made of Cotton, Rayon and Mixtures Thereof.
- 1400.84 Effective date.
- 1400.85 Effective dates of amendments.

AUTHORITY: §§ 1400.71 to 1400.85, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1400.71 *Maximum prices for finished piece goods.* On and after May 4, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver finished piece goods, and no person shall buy or receive finished piece goods in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1400.82; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of finished piece goods to a purchaser if prior to May 4, 1942 such finished piece goods

Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

¹ Revised: 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser, or if within the terms of the Worth Street Rules title to such finished piece goods had passed to the purchaser prior to May 4, 1942.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1400.72 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1400.82) may be charged, demanded, paid or offered.

§ 1400.73 *Conditional agreements.* No seller of finished piece goods shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1400.82, in the event that this Maximum Price Regulation No. 127 is amended or is determined by a court to be invalid or upon any other contingency. *Provided,* That if a petition for amendment (or for adjustment or for exception under § 1400.82 (1) (3)) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception under § 1400.82 (1) (3)).

§ 1400.74 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 127 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery purchase or receipt of or relating to finished piece goods, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1400.75 *Records.* (a) On and after May 4, 1942, every person making a purchase, sale or delivery of finished piece goods in the course of trade or business, or otherwise dealing in finished piece goods shall keep for inspection by the Office of Price Administration, for a period of not less than two years, complete and accurate records of each such purchase, sale, or delivery, showing the date thereof, the terms of sale, the name and address of the buyer or seller, the price paid or received, and the quantity of each type, quality and finish of finished piece goods purchased or sold, and including (in the case of the seller) a record of all items necessary to verify the computation of the maximum price for the finished piece goods.

* Copies may be obtained from the Office of Price Administration.

² 8 F.R. 14395; 17367; 9 F.R. 1320.

³ 8 F.R. 3057.

(b) Persons required to submit reports under § 1400.76 shall, in addition to the records required above, keep for inspection by the Office of Price Administration, for a period of not less than two years, complete and accurate records of all items necessary to verify such reports.

§ 1400.76 *Reports.* (a) Persons subject to this Maximum Price Regulation No. 127 shall submit such reports as the Office of Price Administration may from time to time require.

§ 1400.77 *Details required in contract of sale or invoice.* (a) Every seller of finished piece goods shall, with respect to each sale thereof, deliver to the purchaser and the purchaser shall retain as a part of his records, either a contract of sale or an invoice which shall contain, in addition to the terms thereof, a full description of each type, quality and finish of finished piece goods sold, or a style number or symbol sufficient to identify in the seller's records maintained pursuant to § 1400.75 hereof, the full details of the construction so delivered.

(b) If the seller is the converter of the fabric sold, the contract of sale or invoice shall contain a statement of the division factor (as specified in § 1400.82 (g)) used in determining the maximum price.

(c) If the seller is a wholesaler, jobber or converter-jobber selling jobbed goods, the contract of sale or invoice shall contain:

(1) If the purchaser is a person other than a wholesaler, jobber, converter-jobber or export merchant, a statement of the division factor used in computing the selling price or a statement that the net selling price does not exceed the maximum price permitted under Maximum Price Regulation No. 127;

(2) If the purchaser is a wholesaler, jobber, converter-jobber, or export merchant, a statement showing:

(i) The selling price; and
(ii) The exact maximum price which the seller would be entitled to charge Class I and Class II purchasers.

[§ 1400.77 as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

§ 1400.78 *Exempt sales.* The provisions of this Maximum Price Regulation No. 127 shall not apply to the following:

(a) Sales at retail.
(b) Sales of finished piece goods by decorative goods jobbers.

(c) Sales or purchases of:

(1) Any fabric covered by Revised Price Schedule No. 35—Carded Grey and Colored Yarn Cotton Goods.

(2) Any fabric covered by Maximum Price Regulation No. 39^c—Upholstery Furniture Fabrics.

[Subparagraph (2) as amended by Am. 11, 8 F.R. 4851, effective 4-19-43]

(3) Woven tickings heavier than 4.95 yards per lb. and not in weaves requiring Jacquard looms.

(4) Any fabric covered by Revised Price Schedule No. 39^c—Bed Linens.

(5) Abrasive cloth.

(6) Adhesive hollands.

(7) Artificial leather or other pyroxylin coated fabrics.

(8) Awning cloths.

(9) Belting.

(10) Blue-print cloth.

(11) Bookbinding hollands.

(12) Bunting for blankets.

(13) Cheese cloth.

(14) Corduroy.

(15) Cotton pile fabrics.

(16) Embroidery.

(17) Filter cloths.

(18) Flag cloths (yarn dyed).

(19) Insulation cloth.

(20) Knit goods.

(21) Nottingham lace.

(22) Oil cloth.

(23) Outing flannels.

(24) Separator cloth.

(25) Surgical gauze.

(26) Tag (label) cloth.

(27) Towels and toweling, other than printed toweling.

[Subparagraph (27) as amended by Am. 17, 9 F.R. 1900, effective 2-23-44]

(28) Transparent cloth (envelope and tracing cloth)

(29) Waterproof ducks (tarpaulins, truck covers)

(30) Window shade hollands.

(31) Finished piece goods imported from a foreign country.

(32) Any fabric covered by Maximum Price Regulation No. 118^c—Cotton Products.

[Subparagraph (32) as amended by Am. 3, 7 F.R. 4454, effective 6-15-42]

(33) Yarn-dyed fabrics predominantly used for upholstery, furniture and automobile slip covers, or draperies.

(34) Pound goods.

(35) Remnants less than 10 yards in length and individual dress length remnants less than 10 yards in length sold by the piece or by the bundle.

(36) Rubber coated fabrics.

[Subparagraphs (33) through (36) added by Am. 2, 7 F.R. 4180, effective 6-3-42]

(37) Fabrics coated with a cellulose ester, cellulose ether, synthetic resin or oxidizable oil, for waterproofing or other similar purpose.

[Subparagraph (37) added by Am. 2, 7 F.R. 4180, effective 6-3-42; and amended by Am. 7, 7 F.R. 5675, effective 7-23-42]

(38) Velvets woven on a velvet or plush loom.

[Subparagraph (38) added by Am. 2, 7 F.R. 4180]

(39) Ecclesiastical fabrics

(40) Metallic fabrics

[Subparagraphs (39) and (40) added by Am. 8, 7 F.R. 5364, effective 7-14-42]

(41) Loom finished fabrics: *Provided*, That any person before selling such fab-

rics shall, unless he has already done so, file his name and address with the Office of Price Administration, Washington, D. C.

[Subparagraph (41) added by Am. 6, 7 F.R. 5364, effective 7-14-42; amended by Am. 8, 7 F.R. 6553, effective 8-25-42; and Am. 10, 8 F.R. 3057, effective 3-16-43]

(42) Woven or printed decorative pattern fabrics composed in an amount of 75% or more by weight of synthetic yarn, and sold exclusively for use by necktie manufacturers: *Provided*, That any person before selling such fabrics shall, unless he has already done so, file his name and address with the Office of Price Administration, Washington, D. C., certifying that only such fabrics as are sold exclusively for use by necktie manufacturers will be sold hereunder.

[Subparagraph (42) added by Am. 6, 7 F.R. 5364, effective 7-14-42; amended by Am. 8, 7 F.R. 6553, effective 8-25-42; Am. 9, 7 F.R. 9823, effective 12-1-42; and Am. 10, 8 F.R. 3057, effective 3-16-43]

(43) Typewriter ribbon cloth finished from imported plain woven goods, 36 to 44 inches in grey width, made of combed or super-combed Egyptian or Sea Island cotton yarn.

(44) Finished fabrics which:

(i) Are 54 inches or more in finished width;

(ii) Weigh in excess of 12½ oz. per linear yard of 56 inch width;

(iii) Contain 8 per cent or more wool by weight; and

(iv) Are finished on the woolen or worsted system.

[Subparagraphs (43) and (44) added by Am. 7, 7 F.R. 5575, effective 7-23-42]

(45) Fabrics coated or impregnated with paraffin wax or similar substance and used as a substitute for glass, when sold by wholesalers or jobbers.

[Subparagraph (45) added by Am. 9, 7 F.R. 9823, effective 12-1-42]

(46) Corset and brassiere fabrics sold by a corset accessories supplier to be used in the making of corsets, brassieres, surgical garments and similar articles, or in the repairing or alteration thereof.

[Subparagraph (46) added by Am. 11, 8 F.R. 4951, effective 4-19-43]

(d) Sales of finished piece goods by furrier suppliers: *Provided*, That any person exempted by this paragraph (d) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he falls within the definition of furrier supplier as set forth in § 1400.81 (a) (15) of this Maximum Price Regulation No. 127.

(e) Sales of finished piece goods to custom shirtmakers by a custom shirtmaker's supplier: *Provided*, That any person exempted by this paragraph (e) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(f) Sales of finished piece goods by a woman's shoe fabric supplier: *Provided*, That any person exempted by this paragraph (f) shall, on or before August 31,

^a 8 F.R. 1963, 5306, 15906, 16744.

^b 8 F.R. 7822, 17426; 9 F.R. 458.

^c 7 F.R. 1375, 2107, 2259, 2739, 3163, 3337, 3447, 3962, 4176, 4732, 7533, 8937; 8 F.R. 8037, 11245.

^d 8 F.R. 12186, 12934; 9 F.R. 401.

1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is a woman's shoe fabric supplier as defined in § 1400.81 (a) (11) of this Maximum Price Regulation No. 127.

(g) Sales of finished piece goods by a milliners' supply house: *Provided*, That any person exempted by this paragraph (g) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(h) Sales of finished piece goods by a tailor trimming store: *Provided*, That any person exempted by this paragraph (h) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(i) Sales of finished piece goods by a dressmakers' supply house: *Provided*, That any person exempted by this paragraph (i) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

[Paragraphs (d) through (i) added by Am. 6, 7 F.R. 5364, effective 7-14-42; and amended by Am. 8, 7 F.R. 6653, effective 8-26-42]

(j) Sales and deliveries of printed woven decorative fabrics as defined in Maximum Price Regulation No. 39 when such sales or deliveries are made by a person whose principal business with respect to such fabrics during the period between January 1, 1941 and March 31, 1942 was in fabrics selling at a price of 35 cents or more per yard: *Provided*, That any such person shall, on or before August 31, 1942 file his name and address with the Office of Price Administration, Washington, D. C.

(k) Sales of finished piece goods by an artificial flower manufacturers' supplier: *Provided*, That any person exempted by this paragraph (k) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is an artificial flower manufacturers' supplier as defined in § 1400.81 (a) (20) of this Maximum Price Regulation No. 127.

[Paragraphs (j) and (k) added by Am. 7, 7 F.R. 5676, effective 7-23-42; and amended by Am. 8, 7 F.R. 6653, effective 8-26-42]

(l) Sales of better rayon fabrics by converters who prior to February 17, 1944 had certified to the Office of Price Administration that they came within the terms of this paragraph (l) as it read between July 5, 1943 and February 22, 1944.

"Better rayon fabrics" are finished piece goods which

(1) Are composed of 75% or more of rayon, and

(2) Are (i) substantially similar in construction and finish to fabrics which during 1942 sold to dress manufacturers whose minimum price line for dresses then was \$16.75 or (ii) plain dyed goods of a type which sold at a price of 85 cents or more per yard during 1942 or printed

goods of a type which sold at a price of one dollar or more per yard during 1942.

[Paragraph (l) added by Am. 12, 8 F.R. 9023, effective 7-5-43; and amended by Am. 17, 9 F.R. 1806, effective 2-23-44]

§ 1400.78a *War procurement*. (a) Sales and deliveries to a war procurement agency of finished piece goods of the types and made to the specifications (in their present form or as hereafter amended) listed below shall be exempt from maximum prices, by whatsoever regulation or schedule established, until July 15, 1942. On and after July 15, 1942, but not prior thereto, such sales and deliveries shall be subject to Maximum Price Regulation No. 157.^{*}

(1) P. Q. D. No. 33-A (8.2 combed uniform twill)

(2) 27 T 25 (bleached and shrunk twill)

(3) Marine Corps Specification November 22, 1937 (Shrunk khaki suiting)

(4) P. Q. D. No. 95 (6 oz. combed twill)

(5) P. Q. D. No. 1 (wind resistant cloth)

(6) 6-100B (lining twill)

(7) P. Q. D. No. 17-A (mosquito netting)

(8) 27 C 13 (INT) a (balloon cloth)

(9) 6-39-G (balloon cloth)

(10) AN-CCC-C-399 (airplane cloth)

(11) Marine Corps Specification April 18, 1934, Revised to March 10, 1942 (marine shirting)

(12) M 54 (rubberized fabric)

(13) 27 L 6 (black lining twill)

(14) Specifications described in invitation Neg. 336 (balloon cloth substitute)

[§ 1400.78a added by Am. 6, 7 F.R. 5364, effective 7-14-42]

§ 1400.79 *Enforcement*. (a) Persons violating any provision of this Maximum Price Regulation No. 127 are subject to the civil and criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 127 or any price-schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1400.79a *Licensing*. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1400.79a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

^{*} 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424; 8 F.R. 3948, 7507, 15609, 18605, 17374.

^{*} 8 F.R. 13240.

§ 1400.80 *Petitions for amendment or adjustment*. (a) Any person seeking an amendment of any provisions of this Maximum Price Regulation No. 127 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Former text designated (a) by Am. 6, 7 F.R. 5364, effective 7-14-42; and amended by Supplementary Order No. 26, 7 F.R. 8948, effective 11-4-42]

(b) [Revoked]

[Paragraph (b) added by Am. 6, 7 F.R. 5364, effective 7-14-42; amended by Am. 11, 8 F.R. 4851, effective 4-19-43; and revoked by Am. 13, 8 F.R. 9023, effective 7-5-43]

(c) [Revoked]

[Paragraph (c) added by Am. 7, 7 F.R. 5676, effective 7-23-42; revoked by Am. 10, 8 F.R. 3057, effective 3-16-43]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1400.81 *Definitions*. (a) When used in this Maximum Price Regulation No. 127, the term:

(1) "Person" includes an individual corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Finished piece goods" means woven fabrics, more than 12 inches in width, bleached, dyed, printed, mercerized or otherwise finished or processed, composed—in the amount of seventy-five per cent or more by weight—of either cotton fibre or chemically produced yarn or fibre, or any mixtures thereof, regardless of what other material may be included in the fabric.

[Subparagraph (2) amended by Am. 2, 7 F.R. 4180, effective 6-3-42; and Am. 13, 8 F.R. 12935, effective 9-27-43]

(3) "Class I purchaser" includes an export merchant, foreign purchaser or agent of a foreign purchaser, any agency of the federal government, any agency of a state, county or municipal government, a cutter, manufacturer, converter, jobber, jobber or wholesaler (except as provided in subparagraph (4) of this paragraph) and any similar class of purchaser not specifically enumerated herein.

[Subparagraph (3) amended by Am. 2, 7 F.R. 4180, effective 6-3-42; and Am. 5, 7 F.R. 4762, effective 6-25-42]

(4) "Class II purchaser" includes a retailer (whether independent retailer, chain store or mail order house) private hospital or other similar private institution, hotel, steamship company, canvasser, tailor supply store, tailor trimming store, decorative goods jobber, interior decorator, milliners' supply house, dressmakers' supply house, custom shirtmakers' supply house, and any similar class of purchaser not specifically enumerated herein.

[Subparagraph (4) amended by Am. 5, 7 F.R. 4762, effective 6-25-42; and Am. 6, 7 F.R. 5364, effective 7-14-42]

(5) "Converter" means a person who sells finished piece goods after having finished such goods or after causing them to be finished for his account.

(6) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no cutter, manufacturer, purchaser for resale, or other commercial user shall be deemed to be an ultimate consumer.

(7) "Export merchant" means a jobber of finished piece goods engaged in exporting finished piece goods (either exclusively or in addition to selling such goods in the domestic market) who (i) buys goods for his own account, (ii) takes title to the goods, (iii) sells them direct, or through customary trade channels, to foreign purchasers or agents of foreign purchasers, and (iv) assumes all risks of loss until title to the goods passes to the foreign buyer according to the terms of the sale.

(8) "Decorative goods jobber" means a person customarily engaged in the business of and whose principal business consists of selling upholstery fabrics, drapery fabrics, slip cover fabrics and other finished piece goods, in cut lengths of specified yardage, to interior decorators.

(9) "Converter-jobber" means a converter who is also regularly engaged in performing, in addition to his converting business, the function of a jobber or wholesaler, and includes a jobber or wholesaler controlling, controlled by or under common control with a converter.

(10) "Atlantic seaboard States" means Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, District of Columbia, West Virginia, North Carolina, South Carolina, Georgia, Tennessee, Florida, Kentucky, Alabama, and Mississippi.

[Subparagraphs (9) and (10) added by Am. 2, 7 F.R. 4180, effective 6-3-42]

(11) "Women's shoe fabric supplier" means a person engaged in the business of and whose principal business consists of supplying to shoe manufacturers and shoe ornament manufacturers fabrics destined for use as outer fabrics, heel coverings, linings and ornaments for women's novelty shoes (a substantial part of such business being done in outer fabrics) and who, by business custom, has customarily given to such manufacturer a warranty that the fabric is suitable as a shoe fabric.

No. 45—3

(12) "Ecclesiastical fabrics" means finished piece goods woven, printed, dyed or embossed in colors, patterns or designs prescribed by religious law or tradition, and sold exclusively for use in the manufacture of religious accessories.

(13) "Metallic fabrics" means finished piece goods which contain woven metal in the amount of five percent or more by weight.

[Subparagraphs (11), (12) and (13) added by Am. 6, 7 F.R. 5364, effective 7-14-42]

(14) "Loom-finished fabrics" means yarn-dyed or warp-printed piece goods which (i) are woven on a non-automatic loom; (ii) are made from warps of 800 yards or less; (iii) are woven on the basis of 6 looms or less per weaver; (iv) are produced in quantities of 5000 yards or less per warp design per month; (v) require no finishing other than calendaring or framing after leaving the loom; and (vi) constitute a type not commercially traded in as grey goods.

[Subparagraph (14) added by Am. 6, 7 F.R. 5364, effective 7-14-42; and amended by Am. 9, 7 F.R. 9823, effective 12-1-42]

(15) "Furrier supplier" means a person customarily engaged in the business of and whose principal business with respect to finished piece goods consists of supplying to manufacturers, repairers and alterers of fur garments, finished piece goods in cut lengths of specified yardage, and includes any person engaged exclusively in supplying to manufacturers, repairers and alterers of fur garments fabrics constructed and processed especially for fur linings.

[Subparagraph (15) added by Am. 6, 7 F.R. 5364, effective 7-14-42; and amended by Am. 7, 7 F.R. 5675, effective 7-23-42]

(16) (i) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of the foregoing, and shall be deemed to include stores operated as Army Canteens, post exchanges or ship's service activities. The term "war procurement agency" shall also include "contractor" and "subcontractor" as defined in subdivision (ii) of this subparagraph.

(ii) "Contractor" and "subcontractor" means any person who contracts to sell finished piece goods or a commodity processed or made from such goods to, respectively, any war procurement agency or any person who physically incorporates such goods or a commodity processed or made from such goods in an article being processed or made for any war procurement agency. No such person shall, however, be deemed to be a contractor or subcontractor with respect to any contract for sale unless, at the date of the delivery of such goods or commodity pursuant thereto, there is an existing contract with a war procurement agency or a subcontract with a prime contractor who has an existing contract with a war procurement agency,

and such delivery takes place with reference to the ultimate fulfillment of such existing contract or subcontract.

[Subparagraph (16) added by Am. 6, 7 F.R. 5364, effective 7-14-42; amended by Am. 10, 8 F.R. 3037, effective 3-16-43; and Am. 11, 8 F.R. 4831, effective 4-19-43]

(17) "Tailor trimming store" includes a tailor supply house, and means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to tailors engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(18) "Dressmakers' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to dressmakers engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(19) "Milliners' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to persons engaged in the producing, repairing or altering of millinery.

[Subparagraphs (17), (18) and (19) added by Am. 6, 7 F.R. 5364, effective 7-14-42]

(20) "Artificial flower manufacturers' supplier" means a person engaged in the business of and whose business with respect to finished piece goods consists exclusively of supplying specially finished piece goods for use in the manufacture of artificial flowers, to persons engaged in such manufacture.

[Subparagraph (20) added by Am. 7, 7 F.R. 5675, effective 7-23-42]

(21) "Producer" means the person in whose mill grey or colored-yarn goods are woven, and includes any agent of the producer and any person controlling, controlled by, or under common control with the producer.

[Subparagraph (21) added by Am. 9, 7 F.R. 9823, effective 12-1-42]

(22) "Corset accessories supplier" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to corsetiers, or producers engaged in the production of individually ordered corsets, brassieres, surgical garments and similar garments or in the repairing or alteration thereof.

[Subparagraph (22) added by Am. 11, 8 F.R. 4831, effective 4-19-43]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1400.82 Appendix A. *Maximum prices for finished piece goods*—(a) *Method of determining maximum prices.* Except as otherwise specifically provided in this section, the maximum net selling

price, f. o. b. point of shipment¹⁰ for finished piece goods shall be the aggregate of the five items set forth below in this paragraph (subparagraphs (1) to (5) inclusive) divided by the appropriate division factor set forth in paragraph (g) of this section.

(1) Basic grey goods cost, determined in accordance with paragraph (b) of this section.

(2) The grey freight, determined in accordance with paragraph (c) of this section.

(3) Working allowance, determined in accordance with paragraph (d) of this section.

(4) Finishing cost, determined in accordance with paragraph (e) of this section.

(5) Put up charges, determined in accordance with paragraph (f) of this section.

[Paragraph (a) as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(b) *Basic grey goods cost.* (1) Except as otherwise specifically provided in this paragraph and in paragraph (d) of this section, the basic grey goods cost to be used in determining the maximum price for finished piece goods shall be no higher than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Subparagraph (1) as amended by Am. 6, 7 F.R. 5364, effective 7-14-42]

(2) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the basic grey goods cost to be used in computing the maximum price under paragraph (a) shall be determined as follows:

(i) For grey or partially finished goods acquired from an outside source other than a subsidiary or affiliate, the basic grey goods cost shall be computed in accordance with subparagraph (1) above.

(ii) For grey goods produced by such person or by a subsidiary or affiliate, for which maximum prices are established by Maximum Price Regulation No. 11,¹¹ Revised Price Schedule No. 35, or Revised Price Schedule No. 23, as Amended,¹² the basic grey goods cost shall be no higher

than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Subparagraph (ii) as amended by Am. 11, 8 F.R. 4851, effective 4-19-43]

(iii) For any other grey goods produced by such person or by a subsidiary or affiliate,¹³ the basic grey goods cost shall be no higher than the maximum price which would be applicable for a sale of such grey goods to a converter on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Subparagraph (2) amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(3) For finished piece goods which are produced from grey goods manufactured in and imported from a foreign country, the basic grey goods cost shall be:

(i) Where such goods (a) are produced from grey goods imported by the converter pursuant to a contract with the foreign seller or his agent entered into prior to November 10, 1943, and (b) are delivered to the purchaser on or before January 19, 1944, no higher than the actual landed duty paid cost of the grey goods;

(ii) In all other cases (except as provided in paragraph (w) of this section) no higher than the lower of (a) the maximum price which would be applicable to the grey goods if manufactured in the United States and sold to the converter on the day the contract for the sale of the finished piece goods is made or on the day the goods enter into the finishing process, whichever is earlier, or (b) the landed duty paid cost of the grey goods.

[Subparagraph (3) amended by Am. 2, 7 F.R. 4180, effective 6-3-42; and Am. 15, 8 F.R. 16797, effective 12-20-43]

(4) If for any reason the basic grey goods cost cannot be determined under subparagraphs (1) and (2) of this paragraph, then the basic grey goods cost shall be no higher than the established maximum price for such grey goods on July 14, 1942.

[Subparagraph (4) as amended by Am. 6, 7 F.R. 5364, effective 7-14-42]

(5) [Revoked]

[Subparagraph (5) revoked by Am. 6, 7 F.R. 5364, effective 7-14-42]

(c). *Grey freight.* (1) Subject to the other provisions of this paragraph (c) the grey freight which may be included in computing the maximum price under paragraph (a) of this section shall be no higher than actual transportation charges paid by the seller of the finished piece goods (not absorbed by the finisher) incurred in transporting the basic grey goods to the finishing plant where the finishing process is begun.

¹² This includes, but is not limited to, grey goods which would, if sold, be subject to Maximum Price Regulation No. 118—Cotton Products.

(2) In the event the grey goods are transported in a conveyance owned or operated by the converter, or the finisher, or by a person controlling, controlled by, or under common control with the converter or the finisher, and the charges are not absorbed by the finisher, the freight charge shall not exceed the charge which would be applicable to an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

(3) Where goods are shipped from the grey goods mill to a point other than the finishing plant where the finishing process is begun, only the actual freight (which is not absorbed by the finisher) incurred in the final shipment from such other point to the finishing plant where the finishing process is begun may be used in determining the maximum price under paragraph (a) of this section.

(4) Where goods are trans-shipped from one finishing plant to another (after the goods are partially or wholly finished) the freight charges on such trans-shipments shall not be included in computing the maximum price under paragraph (a) of this section: *Provided*, (1) That if partially finished goods are trans-shipped from one finishing plant to another for the purpose of screen printing, flock printing, lacquer printing, embossing, or moiré at the second plant, then the freight charges on such trans-shipment may be included in computing the maximum price under paragraph (a) of this section; (ii) That the foregoing limitation shall not apply to the extent that the contrary is expressly provided elsewhere in this regulation.

[Subparagraph (4) amended by Am. 13, 8 F.R. 12935, effective 9-27-43; and Am. 17, 9 F.R. 1906, effective 2-23-44]

(5) For the purpose of determining a grey freight charge in order to quote prices for and make sales of finished piece goods in advance of actual shipment of the grey goods a seller of finished piece goods may use the following allowance for grey freight:

(i) *Grey goods containing more than 50% cotton by weight.* For shipments from any point in Zone I¹⁴ to any point in Zone II¹⁵ or shipments from any point in Zone II to any point in Zone I, an allowance of 55¢ per hundred pounds less any inward freight allowance made by the finisher for shipments from any point in Zone I to a point in Zone I or for shipments from any point in Zone II to a point in Zone II, an allowance of 20¢ per hundred pounds, less any inward freight allowance made by the finisher.

(ii) *Grey goods containing 50% cotton or less by weight.* For shipments from any point in Zone I to any point in Zone II or for shipments from any point in Zone II to any point in Zone I, an allowance of 85¢ per hundred pounds less any inward freight allowance made

¹⁰ Where a converter or a subsidiary or affiliate of a converter, sells converted goods from a point of shipment which is located outside of the Atlantic Seaboard States, and the finishing operations with respect to such goods are performed in any of such Atlantic Seaboard States, the seller may add to the otherwise applicable maximum price the actual transportation charges incurred in bringing the finished piece goods to such point of shipment. If the goods are transported to such point of shipment in a conveyance other than a common carrier, the charge shall not exceed the charge which would be applicable in an identical shipment at the lowest available commercial transportation rate.

¹¹ 8 F.R. 361, 2206, 4628, 4725, 5477, 8065, 8615, 8937, 10900, 11434, 13974, 16129; 9 F.R. 395.

¹² 7 F.R. 2899, 2966, 2945, 3242, 3481, 6771.

¹⁴ Zone I shall consist of the New England States, New York, Pennsylvania, New Jersey, Delaware, Maryland, Ohio, Indiana and Michigan, and the District of Columbia.

¹⁵ Zone II shall consist of all other states.

by the finisher; for shipments from any point in Zone I to a point in Zone I, or for shipments from any point in Zone II to a point in Zone II, an allowance of 25¢ per hundred pounds, less any inward freight allowance made by the finisher: *Provided*, That in all cases where a forward sale is made upon the basis provided herein, the price may not be subsequently altered after an actual determination of grey freight charges has been made.

[Paragraph (c) amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(6) For the purpose of determining the grey freight which may be included in computing the maximum price for finished goods produced from imported grey goods the port of entry in the continental United States shall be deemed the point of shipment.

[Subparagraph (6) added by Am. 15, 8 F.R. 16797, effective 12-20-43]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

(d) *Working allowance*—(1) *For finished piece goods containing 50% or more of rayon by weight.* Except as provided in subparagraphs (3) and (4) of this paragraph, the working allowance which may be used in determining the maximum price under paragraph (a) of this section shall be the actual figure specified by the finisher in his contract: *Provided*, That if the working allowance specified in the contract shall exceed the actual shrinkage of the fabric as determined by the increase of finished pick count over grey goods pick count plus not more than 2% tolerance for physical loss of goods occasioned by handling and processing the fabric, then such actual shrinkage plus such 2% tolerance shall constitute the maximum working allowance to be used in determining the maximum price for the finished piece goods.

In the event that there is a net yardage gain as a result of the finishing process, such gain must be deducted from the basic grey goods cost under paragraph (b) of this section.

(2) *For finished piece goods containing less than 50% of rayon by weight.* Except as provided in subparagraphs (3) and (4) of this paragraph, the working allowance which may be used in determining the maximum price under paragraph (a) of this section shall be the actual working allowance specified by the finisher in his contract.

In the event that there is a net yardage gain as a result of the finishing process, such gain must be deducted from the

basic grey goods cost under paragraph (b) of this section.

(3) *For vertical organizations.* For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the working allowance used in determining the maximum price under paragraph (a) of this section shall not exceed the allowance which would be applicable had the finishing operation been performed by an independent finisher.

(4) *For any new construction or for any new finishing process.* The working allowance for any new construction or for any new finishing process may be determined in a preliminary manner from the actual yield of a carefully controlled lot of not less than 1,000 yards of the finished goods: *Provided*, That the working allowance to be used in determining the maximum price for the finished piece goods shall not exceed the shrinkage determined by the actual yield of the first 10,000 yards of finished fabric.

(e) *Finishing cost.* Subject to the following provisions, the finishing cost shall be the price specified in the finishing contract and actually paid by the seller of the finished goods and shall not include any finishing costs incurred by any person prior to the acquisition of the goods by such seller.

(1) If the price specified in the finishing contract is made on a "silk basis" or a "store door delivered basis" (i. e., including put up and delivery charges) then such price shall, for the purpose of determining the appropriate division factor, be reduced by 1/4¢ per yard: *Provided*, That the total finishing cost may be included in the final computation of the maximum price for the finished piece goods.

(2) If the price specified in the finishing contract is made on a "cotton basis" (that is, f. o. b. finishing plant) such price, exclusive of charges for cases, papers and tubes, shall, for the purposes of determining the appropriate division factor, constitute the finishing cost.

(3) [Revoked]

[Subparagraph (3) revoked by Am. 10, 8 F.R. 3057, effective 3-16-43]

(4) (i) Where fabrics are printed both face and back, whether register-printed or not, the finishing cost which may be used in determining the appropriate division factor under paragraph (g) of this section shall be 75% of the price specified in the finishing contract and actually paid by the converter: *Provided*, That the full cost of such printing may be included in the final computation of the maximum price for the finished piece goods.

[Above text designated (i) and (ii) added by Am. 17, 9 F.R. 1806, effective 2-23-44]

(ii) Where fabrics are printed in such a manner that, if by cutting off the edge (or edges) of the fabric which has (or have) been printed, more than 80 percent of the original width of the finished fabric could be retained intact in unprinted

form, the cost of such printing shall not be included in the finishing cost unless it can be demonstrated that the print design serves a bona fide decorative or functional purpose and prior certification to this effect has been obtained from the Office of Price Administration, Washington 25, D. C.

(5) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the finishing cost used in determining the appropriate division factor under paragraph (g) of this section shall not exceed the amount which such persons are entitled to charge under Maximum Price Regulation No. 128¹⁷ Processing Piece Goods: *Provided*, That if such persons have finishing operations performed by independent finishers, the finishing cost shall be determined in accordance with the foregoing provisions of this section.

(6) Extra charges actually made for special folding such as doubling and rolling and book fold, may be included in the finishing cost for the purpose of determining the division factor and the maximum price: *Provided*, That if such special folding is done by a person other than the person performing the finishing operations, the amount which may be included shall be no more than 1/4¢ per yard.

[Subparagraph (6) added by Am. 2, 7 F.R. 4180, effective 6-3-42]

(7) For the purposes of subparagraph (8) below, the cost of each type of processing referred to therein shall be:

(i) In the case of goods finished by a person independent of the converter, the price of such processing as specified in the finishing contract or invoice;

(ii) In the case of goods finished by the converter or by a subsidiary or affiliate of the converter, the price which such person is entitled to charge for such processing under Maximum Price Regulation No. 128 (Processing Piece Goods).

(8) *Special limitations on use of entire finishing cost.* Certain finishing expenses are to be treated in a special manner as explained in subdivision (i) below. These expenses, which are called "excess finishing cost," are listed in subdivision (ii). What constitutes "excess finishing cost" will often depend on whether the goods fall within the converter's "specified finish quota." This quota is dealt with in subdivision (iii).

(i) *How to treat "excess finishing cost."* "Excess finishing cost" shall be disregarded in determining the appropriate division factor pursuant to paragraph (g) of this section and shall not be included in the sum to which (pursuant to paragraph (a) of this section) that division factor is applied, but it may be added to the resulting quotient before the terms factor is applied.

(ii) *What is "excess finishing cost."* "Excess finishing cost" means the following:

¹⁷ 7 F.R. 3117, 4659, 6615.

(a) Where cotton goods, other than "better cotton wash fabrics,"¹⁷ have been roller-printed, any printing cost¹⁸ in excess of the printing cost which would be applicable to a 15,000-yard run of the pattern.

(b) Where rayon goods¹⁹ have been roller-printed, any printing cost¹⁸ in excess of the printing cost which would be applicable to a 6,000-yard run of the pattern.

(c) The cost of screen printing any rayon goods which (1) are made of combination yarns or (2) have a ceiling price in the grey of less than 27½¢ per yard on the following width bases:

Type of fabric or weave:	Width Basis
Plain or dobby-loom except sheers.....	43½" grey
Box-loom, except sheers.....	45" reed
Jacquard-loom, except sheers.....	39" grey
Sheers.....	46" reed

(d) The cost of applying any of the "specified finishes" designated below to goods which do not fall within the converter's "specified finish quota," as defined in subparagraph (iii), below. The "specified finishes" are embossing, moiré, screen printing, block printing, chenille printing, flock printing, lacquer printing and any type of over-printing (such as pigment type or zinc printing) not expressly mentioned.

(e) The cost of flock printing, chenille printing, lacquer printing or otherwise over-printing goods which (regardless of the sequence in which the operations are performed) are also screen printed, block printed, embossed or moiré.

(iii) *Specified finish quota.* (a) For each finish referred to in (ii) (d) above, each converter shall have a "specified finish quota."

(b) Except for a converter who was not in business throughout 1941, the "quota" for shipments made in a given finish during any calendar quarter shall be three-fourths of the yardage of woven goods ordered into process by the converter during the corresponding calendar quarter of 1941 in that finish. However, the quota applicable to the period from February 23, 1944 through March

31, 1944 shall be one-half of the quota computed for the first calendar quarter. Furthermore, a converter shall be permitted to augment his quota for any period by the amount of any unconsumed portion of his quota for the preceding quarter and likewise by borrowing from his quota for the following quarter. If a converter augments his quota for one period by borrowing from his quota for the next quarter, the latter quota shall be correspondingly reduced.

(c) Any converter who was not in business throughout 1941 may file with the Office of Price Administration, Washington 25, D. C., an application for the establishment of one or more "specified finish quotas". The application shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1, issued by the Office of Price Administration, and shall contain a full statement of: (1) the types of processing performed by the converter, (2) current monthly yardage ordered into process and estimated yardage volume for the balance of the calendar year, (3) the type of goods converted, (4) the trades served, (5) the reasons why applicant needs to sell goods in any of the finishes referred to in (ii) (d) above, (6) the names of two or more close competitors; and (7) any other information relevant to whether a quota or quotas should be established and in what amount. No quota will be granted unless it affirmatively appears that the applicant needs the quota in order to serve the actual requirements of his customers. Where such a finding can be made the Administrator will be guided in determining the amount of the quota by the nature of the applicant's business and the "specified finish quotas" of applicant's competitors. A quota may be established in terms of yardage, dollar sales, or percentage of total business and shall be subject to such conditions as the Administrator finds appropriate. Upon the filing of an application and pending final action thereon, an applicant shall not include the cost of any finish referred to in (ii) (d) above in his finishing cost for the purpose of determining the appropriate division factor under subdivision (g) of this section, but may include the cost of such finish in the sum to which that division factor is applied.

(d) On or before March 23, 1944 every converter who was engaged in business throughout 1941 and who desires to avail himself at any time of one or more "specified finish quotas" shall report to the Office of Price Administration, Washington 25, D. C., his name and address, the amount of each of his "specified finish quotas" and his total dollar volume of finished piece goods sales during 1943. Any converter who fails to make such a report on or before the due date shall be deemed to have waived his right to make use of his quotas, unless he presents a reasonable justification for such failure.

(e) Each converter delivering goods subject to the limitations imposed by this subparagraph (8) shall keep a separate monthly record of all such deliveries. The record shall include the in-

voice number, yardage delivered, and type of finish.

(iv) *Existing contracts.* Notwithstanding any provision of this subparagraph (8) for goods delivered on or before March 23, 1944 against a firm contract entered into in conformity with this regulation prior to February 17, 1944, the contract price may be charged.

[Subparagraphs (7) and (8) added by Am. 17, 9 F.R. 1906, effective 2-23-44]

(f) *Put-up charges.* (1) Except as provided in subparagraph (3) of this paragraph, the put-up charges which may be used under paragraph (a) (5) of this section shall include only the charges for papers, boards, tubes and packing cases and, in the case of sales for export, the charges for export packing. In no event (except for export sales) shall charges for wooden shells be included in such computation.

(2) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the put-up charges used under paragraph (a) (5) of this section in determining the maximum price for finished piece goods shall not exceed the charges which would be applicable had such services been performed and such material furnished by an independent finisher.

(3) Where the finishing cost is on a "cotton basis," a seller of finished piece goods may, for the purpose of determining a put-up charge as defined in subparagraph (1) of this paragraph, in order to quote prices for and make sales of finished piece goods in advance of actual production thereof, use a put-up charge of .0020 per yard: *Provided*, That in all cases where a forward sale is made upon the basis provided herein, the price may not be subsequently altered after an actual determination of the put-up charges has been made.

[Paragraph (f) as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

(g) *Tables of division factors*—(1) *In general.* (i) Table I set forth below is to be used with respect to finished piece goods containing 75% or more of cotton by weight unless 4% or more of coverage of the warp or 4% or more of coverage of the filling in the finished goods is yarn dyed or stock dyed. In the latter case, reference must be made to Tables III and IV below. The division factor is determined by reference to the finishing cost (see paragraph (e) of this section) the class of purchaser to whom the sale is made, and the type of finish that is applied.

(ii) Table II set forth below is to be used with respect to finished piece goods containing less than 75% cotton by weight unless 4% or more of coverage of the warp or 4% or more of the coverage in the filling in the finished goods is yarn dyed or stock dyed. In the latter case reference must be made to Tables III

¹⁷ As used here the term:

(1) "Cotton goods" means goods which, in the grey, are subject to Maximum Price Regulation No. 11—Fine Cotton Goods; Revised Price Schedule No. 35—Carded Grey and Colored-Yarn Cotton Goods; Revised Price Schedule No. 89—Bed Linens; or Maximum Price Regulation No. 118—Cotton Products;

(2) "Better cotton wash fabrics" means goods for which the division factor is to be determined by use of Table Ia of paragraph (g) or any other goods which are composed 100% of cotton; are sold to manufacturers of women's and children's dresses, suits, and sportswear and to retail outlets; and are of a type that, during the period from August 1 to September 30, 1941, inclusive, were sold at a price of 27½¢ or more per yard of 36" to 39" finished width, net after discount.

¹⁸ The term "printing cost" shall include the cost of all processing preliminary to the roller printing.

¹⁹ "Rayon goods" here means goods which, in the grey, are subject to Revised Price Schedule No. 23, as amended—Rayon Grey Goods.

and IV below. The division factor is determined by reference to the finishing cost (see paragraph (e) of this section) the class of purchaser to whom the sale is made, and the type of finish that is applied.

(iii) Table III set forth below is to be used with respect to finished piece goods of which 4% or more of coverage of the warp in the finished goods is yarn dyed or stock dyed, and of which none of the filling is yarn dyed or stock dyed and with respect to finished piece goods of which 4% or more of coverage of the filling is yarn dyed or stock dyed and of which none of the warp is yarn dyed or stock dyed, regardless of the rayon or cotton content, and regardless of the finish that is applied thereto. The division factor is determined by reference to the percentage of coverage of the warp or filling that is yarn dyed or stock dyed and the class of purchaser to whom the sale is made.

(iv) Table IV set forth below is to be used with respect to finished piece goods of which 4% or more of coverage of the warp in the finished goods is yarn dyed or stock dyed, and of which some part of the filling is yarn dyed or stock dyed, regardless of the rayon or cotton content, and regardless of the finish that is applied thereto. The division factor is determined by reference to the percentage of coverage of colored yarn in both the warp and filling and the class of purchaser to whom the sale is made.

[Subparagraphs (i), (ii), (iii), and (iv) as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(v) A converter whose production of finished piece goods during the years 1939, 1940 and 1941 consisted predominantly of better cotton wash fabrics which (a) are composed 100% of cotton, (b) are sold to manufacturers of women's and children's dresses, suits and sportswear and to retail outlets, and (c) are of a type that, during the period from August 1, 1941, to September 30, 1941, inclusive, were sold at a price of 27½ cents or more per yard, net after discount, may use Table Ia set forth below with respect to such fabrics: *Provided*, That no converter shall use Table Ia unless, on or before December 15, 1942, he shall have filed his name and address with the Office of Price Administration, Washington, D. C., certifying that he meets the above qualifications, and shall have received written acknowledgment of that fact.

[Subparagraph (v) added by Am. 9, 7 F.R. 9823, effective 12-1-42]

(2) *Cotton finished piece goods*—(i) *General*. Except for yarn dyed fabrics covered by subparagraph (4) Tables III and IV this Table I is to be used for all

finished piece goods containing 75% or more cotton by weight.

TABLE I—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING 75% OR MORE OF COTTON BY WEIGHT

Finishing cost ¹ (cents per yard)	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
Up to 1.50.....	0.89	0.85	0.83	0.84
2.00-4.49.....	.85	.84	.87	.83
4.50-7.99.....	.87	.83	.85	.815
8.00-11.99.....	.86	.82	.825	.79
12.00-16.99.....	.84	.80	.815	.76
17.00-24.99.....	.84	.80	.79	.73
25.00 and up.....	.84	.80	.77	.70

¹ Determined in accordance with paragraph (e) of this section.

[Table I as amended by Am. 6, 7 F.R. 5364, effective 7-14-42]

(ii) *Fine cotton wash fabrics*. This Table Ia is to be used by converters who meet the qualifications of subparagraph (1) (v) above.

TABLE Ia—DIVISION FACTORS FOR CERTAIN BETTER COTTON WASH FABRICS

White and plain dyed		Printed and yarn dyed	
Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
0.89	0.70	0.74	0.74

[Subparagraph (ii) added by Am. 9, 7 F.R. 9823, effective 12-1-42]

(3) *Rayon finished piece goods*. Except for yarn dyed fabrics covered by subparagraph (4) Tables III and IV, this Table II is to be used for all finished piece goods containing less than 75% cotton by weight.

TABLE II—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING LESS THAN 75% COTTON BY WEIGHT

Finishing cost ¹ (cents per yard)	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
Up to 3.99.....	0.85	0.81	0.83	0.79
4.00-7.99.....	.84	.80	.82	.75
8.00-11.99.....	.83	.79	.81	.77
12.00-16.99.....	.81	.77	.79	.74
17.00-24.99.....	.80	.75	.77	.72
25.00 and up.....	.80	.75	.75	.70

¹ Determined in accordance with paragraph (e) of this section.

[Table II as amended by Am. 6, 7 F.R. 5364, effective 7-14-42]

(4) *Yarn dyed fabrics*.

TABLE III—DIVISION FACTORS FOR YARN DYED OR STOCK DYED FINISHED PIECE GOODS, COLORED WARP ONLY, OR COLORED FILLING ONLY¹

Percentage of coverage of colored yarn in warp or filling (all num- bers inclusive)	Sales to class I purchaser	Sales to class II purchaser
4 to 15.99.....	0.82	0.81
16 to 31.99.....	.80	.80
32 to 47.99.....	.84	.79
48 to 63.99.....	.83	.75
64 to 79.99.....	.82	.77
80 and over.....	.81	.76

¹ Table III shall be used for all finished piece goods (irrespective of the percentage of rayon or cotton content) of which 4 percent or more of coverage of the warp is yarn dyed or stock dyed and of which none of the filling is yarn dyed or stock dyed, and for finished piece goods of which 4 percent or more of coverage of the filling is yarn dyed or stock dyed and of which none of the warp is yarn dyed or stock dyed.

[Table III, as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

TABLE IV—DIVISION FACTORS FOR YARN DYED OR STOCK DYED FINISHED PIECE GOODS, COLORED WARP AND COLORED FILLING

Total percentage of coverage of colored yarn in both warp and filling (all numbers inclusive)	Sales to class I purchaser	Sales to class II purchaser
4 to 15.99.....	0.85	0.80
16 to 31.99.....	.835	.775
32 to 47.99.....	.82	.77
48 to 63.99.....	.815	.755
64 to 79.99.....	.79	.73
80 and over.....	.75	.73

¹ Table IV shall be used for all finished piece goods (irrespective of the percentage of cotton or rayon content) of which 4% or more of coverage of the warp is yarn dyed or stock dyed and of which any percentage of the filling is yarn dyed or stock dyed.

(h) *Credit terms*. (1) The maximum prices established by this Maximum Price Regulation No. 127 are net selling prices.

(2) If a seller desires to sell on a discount basis of 2% off ten days, sixty days extra, he may compute the maximum price on such a sale by dividing the net price by .97: *Provided*, That if any such sale is made, the seller must allow the buyer the following discounts:

(i) If payment is made within 10 days after delivery, a discount of 3%.

(ii) If payment is made within the next sixty days, a discount of 2% plus ½ of 1% per month for any portion of the sixty days which is anticipated.

(3) If a seller desires to sell on a discount basis of net 10 days, sixty days extra, he may compute the maximum price on such a sale by dividing the net price by .99: *Provided*, That if any such sale is made, the seller must allow the buyer the following discounts:

(i) If payment is made within 10 days after delivery, a discount of 1%.

(ii) If payment is made within the next 60 days, a discount of ½ of 1% per month for any portion of the sixty days which is anticipated.

(4) The maximum net prices may be increased by an appropriate division factor (in accordance with the formula set forth in subparagraphs (2) and (3) of this paragraph) in any case where the credit terms do not exceed a discount of 3 percent nor a time period in excess of 70 days from the date of the invoice but may not otherwise be increased for the purpose of granting other credit or discount terms.

[Subparagraph (4) as amended by Am. 7, F.R. 5875, effective 7-23-42]

(i) *Wholesalers and jobbers*—(1) *General provisions.* Subject to the other provisions of this paragraph, the maximum price for finished piece goods sold in the performance of a recognized distributive function²⁰ by a wholesaler, jobber or converter-jobber selling jobbed goods, shall be computed by dividing the actual cost^{20a} by .83 if the sale is to a Class II purchaser and by dividing the actual cost by .88 if the sale is to a Class I purchaser: *Provided*, That contracts entered into between May 4, 1942, and June 3, 1942, at prices in compliance with the provisions of this Maximum Price Regulation No. 127 (§§ 1400.71 to 1400.84, inclusive) as then in force, may be carried out at the contract price.

[Subparagraph (1) amended by Am. 1, 7 F.R. 3242, effective 5-4-42 and Am. 5, 7 F.R. 4762, effective 6-25-42]

(2) *Restrictions on jobbers' and wholesalers' mark-up.* No part of the mark-up provided for in subparagraph (1) of this paragraph, may be charged:

[Subparagraph (2) as amended by Am. 10, 8 F.R. 3057, effective 3-16-43]

(i) [Revoked]

(ii) On a sale by a wholesaler or jobber to a converter or a converter-jobber;

(iii) [Revoked]

²⁰ No sale is made "in the performance of a recognized distributive function" within the meaning of this Maximum Price Regulation No. 127 unless it advances the goods sold to the next stage of distribution.

^{20a} The actual cost may include only (a) the invoice price of the finished piece goods less all discounts taken (which must not, for any purchases made on or after May 4, 1942, exceed the maximum price established by this Maximum Price Regulation No. 127) and (b) the actual transportation charges incurred by the wholesaler or jobber with respect to such finished piece goods. If the goods are transported in a conveyance other than a commercial carrier, the transportation charge shall not exceed the charge which would be applicable in an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

A wholesaler, jobber or converter-jobber, where he mingles in his inventory separate lots of the same pattern of printed goods or separate lots of the same bleached goods, or separate lots of the same dyed goods, which he acquired at varying prices, may take the weighted average cost of such mingled lot for the purpose of determining his actual cost thereof: *Provided*, That if any unsold portion of a lot on which an average cost has been determined is subsequently combined with another lot, the previously determined weighted average cost of such unsold portion shall be used for such unsold portion in computing the weighted average cost of the newly mingled lot.

[Subparagraphs (i) and (iii) revoked and (ii) amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(iv) On an export sale by an export merchant;

(v) On a sale of jobbed goods to any person by a converter-jobber unless and until authorized under subparagraph (3) of this paragraph: *Provided*, That a converter-jobber who has properly filed a petition for exception under subparagraph (3) of this paragraph, and has been notified by the Secretary of the Office of Price Administration that his petition has been docketed, may, until such time as the petition is acted upon by the Office of Price Administration, sell and deliver the goods which he purchases or has purchased as a jobber or wholesaler in accordance with other provisions of this paragraph (i) *Provided, however* That on and after July 1, 1942, the percentage of such jobbing business shall be no greater in relation to his total sales of finished piece goods than the average percentage of such business during the years 1939, 1940, and 1941, or during such part thereof as he acted as a converter-jobber. The restrictions imposed by this subdivision (v) shall not be applicable to a jobber whose converting business consists solely of sales of finished piece goods to a war procurement agency.

[Subparagraph (v) amended by Am. 2, 7 F.R. 4180, effective 6-3-42 and Am. 10, 8 F.R. 3057, effective 3-16-43]

(vi) On a resale of finished piece goods by a cutter or manufacturer: *Provided*, That this restriction shall not apply (a) where such a resale is made in pursuance of an established trade practice by which the cutter or manufacturer is required, as a necessary part of making sales of his cut or manufactured articles, to furnish to his buyers an additional quantity of piece goods identical with or similar to the goods from which such articles are cut or manufactured; or, (b) where a cutter or manufacturer who, as a separate and substantial portion of his business has regularly been engaged in wholesaling or jobbing, resells finished piece goods purchased exclusively for the purpose of resale and not for use in connection with his cutting or manufacturing operations. Every cutter or manufacturer falling within the category defined in (b) above shall, on or before December 15, 1942, file his name and address with the Office of Price Administration, Washington, D. C. Notwithstanding any of the provisions of Maximum Price Regulation No. 204, the maximum price for finished piece goods sold by a cutter or manufacturer subject to the restrictions of this subdivision (vi) shall be the actual cost of such goods as defined in the footnote to subparagraph (1) of this paragraph.

[Subparagraph (vi) amended by Am. 9, 7 F.R. 9823, effective 12-1-42 and Am. 11, 8 F.R. 4851, effective 4-19-43]

²¹ It is the intention of the Office of Price Administration that this subparagraph shall apply to converters who also act as jobbers and wholesalers and to wholesalers or jobbers who also do some converting.

(3) *Petitions for exception by a converter-jobber.* Any converter-jobber, as defined in § 1400.81 hereof, who desires to continue operating as such, may petition the Office of Price Administration for an exception from the provisions of § 1400.82 (i) (2) (v) and for permission so to do. The Price Administrator may grant such exception upon such terms and conditions as shall appear reasonable and necessary under all the circumstances: *Provided*, That no such petition will be considered unless it is filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1.

[Subparagraph (3) amended by Am. 2, 7 F.R. 4180, effective 6-3-42 and Am. 11, 8 F.R. 4851, effective 4-19-43]

(4) Where a sale is made by a converter-jobber, wholesaler or jobber to another converter-jobber, wholesaler or jobber or to an export merchant the maximum price which the purchaser may charge on a domestic resale shall be no higher than the price which the original wholesaler, jobber or converter-jobber would be entitled to charge.

[Subparagraph (4) added by Am. 2, 7 F.R. 4180, effective 6-3-42]

(5) *Charges for special folding by a wholesaler or jobber.* The actual cost, but not more than $\frac{1}{2}\text{¢}$ per yard, may be added to the selling price of finished piece goods by a wholesaler, jobber or converter-jobber selling jobbed goods, for special folding such as doubling and rolling and book fold: *Provided*, That, (i) special folding has not been performed before the goods were purchased by the wholesaler, jobber or converter jobber;

(ii) Special folding was performed by or for the account of the wholesaler, jobber or converter-jobber

(iii) No part of the mark-up provided for in subparagraph (1) of this paragraph may be applied to the cost of such special folding; and

(iv) The portion of the total selling price attributable to special folding shall be itemized separately in an invoice or similar document which shall be delivered to the purchaser of the goods.

[Subparagraph (5) added by Am. 10, 8 F.R. 3057, effective 3-16-43]

(j) *Export sales.* The maximum price at which a person may sell or deliver finished piece goods for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation²² issued by the Office of Price Administration on April 25, 1942.

(k) *Redyeing, reprinting, and overprinting.* Unless the contrary is expressly provided elsewhere in this regulation, no charges for reprinting, redyeing, or overprinting subsequent to the original finishing operation shall be or may be added to or included in the computation of the maximum prices established by this regulation.

²² Revision: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[Paragraph (k) amended by Am. 13, 8 F.R. 12935, effective 9-27-43; and Am. 17, 9 F.R. 1906, effective 2-23-44]

(1) *Substandard goods.* The maximum prices above set forth shall be discounted for substandard goods as follows:

(1) Finishers' seconds and shorts (i. e. finished piece goods which are substandard as a result of finishing process)

Regular sized pieces discounted by 10%.

20 to 40 yard lengths discounted by 15%.

10 to 19.99 yard lengths discounted by 20%.

[Subparagraph (1) as amended by Am. 11, 8 F.R. 4851, effective 4-19-43]

(m) *Exceptions.* Boott Mills, Lowell, Massachusetts may deliver bleached and shrunk Type C twill, 29" wide, Specification 27 T 25, to the Department of the Navy of the United States, pursuant to Navy Contract NXS 5699, in a quantity not exceeding the amount called for by such contract, at a price not exceeding that specified in such contract.

[Paragraph (m) added by Am. 4, 7 F.R. 4587, effective 6-18-42]

(n) *Premiums.*—(1) *Sales of cut lengths.* A premium not exceeding 10% of the otherwise applicable maximum net price may be charged on the sale of cut lengths less than 20 yards when such lengths are cut from a larger piece to fill a specific order: *Provided*, That such premium may not be charged where the finished piece goods are produced in such cut lengths as a part of the original finishing operation: *Provided further* That such premium may not be charged on a sale to a wholesaler or jobber.

[Paragraph (n) added by Am. 6, 7 F.R. 5364, effective 7-14-42]

(o) *Averaging of prices by converters.* Where a converter produces various colors of the same pattern or style, and where the maximum prices for such colors vary, or where a converter produces separate lots of the same pattern or style with a resulting variation in the maximum prices for such lots, he may, after computing the maximum price separately for each color or each lot, determine and use as his maximum price for the entire pattern or style a weighted average of such varying prices.

[Paragraph (o) added by Am. 7, 7 F.R. 5675, effective 7-23-42]

(p) *Specific prices for shoe-lining fabrics.* (1) On and after August 26, 1942, notwithstanding any of the provisions of §§1400.77 and 1400.78 and any other provision of this § 1400.82 of this Maximum Price Regulation No. 127, and regardless of any contract, agreement, lease or other obligation the base maximum prices for the following fabrics when sold to shoe manufacturers for use as shoe linings shall be as set forth in Tables V, VI, and VIII hereof:

TABLE V—TWILLS AND DRILLS

Weight (yards per pound)	Finish	Maximum price (cents per yard)
1.60.....	Starch back twill.....	32.714
1.75.....	Starch back twill.....	29.164
2.00.....	Starch back twill.....	25.617
2.35.....	Starch back twill.....	23.765
1.60.....	Starch back napped twill.....	33.761
1.75.....	Starch back napped twill.....	33.153
2.35.....	Starch back drill.....	23.765
2.75.....	Starch back drill.....	23.360
3.95.....	Starch back drill.....	16.210

TABLE VI—FLANNELS

Weight (yds. per lb.)	Width (inches)	Maximum price (cents per yard)
6.00.....	43 1/2	13.043
5.00.....	43 1/2	14.663
4.00.....	43 1/2	16.791
3.40.....	43 1/2	19.751
3.00.....	43 1/2	20.213
2.60.....	43 1/2	23.431
2.00.....	43 1/2	23.342
1.60.....	43 1/2	24.167
3.00.....	37	17.945
Light (EW)*.....	47 1/2	21.670
Medium (PNS)*.....	47 1/2	22.411
3.00 (CD)*.....	37	20.213

*Trade name.

(2) In addition to the base maximum prices set forth in the foregoing tables the following premiums may be charged for special services or extra finishing:

TABLE VIII

Services or finish	Premium (cents per yard)
For bleaching.....	1
For dyeing.....	2 1/2
For double napping.....	1/2
For sales in quantities of less than 1,000 yds. per color and finish.....	1/2

(3) The maximum prices established by subparagraphs (1) and (2) hereof are subject to credit terms as set forth in paragraph (h) of this section.

(q) *Specific reductions in prices of work-clothing fabrics.* (1) Notwith-

standing any of the provisions of § 1400.78 and any other provision of this § 1400.82 of this Maximum Price Regulation No. 127, the maximum prices computed hereunder for the following finished piece goods shall be reduced as set forth in Table IX hereof:

TABLE IX

Type of fabric	Weight	Width (inch basis)	Reduction (cents per yard)
Finished jeans.....	255 yds. per lb.....	30 1/2	1/2
Finished drills.....	220 yds. per lb.....	30 1/2	1/2
Carded poplins.....	325 yds. per lb.....	30 1/2	1/2
Carded poplins.....	255 yds. per lb.....	30 1/2	1/2
Carded poplins.....	240 yds. per lb.....	30 1/2	1/2

[Table IX as amended by Am. 10, 8 F.R. 3957, effective 3-16-43]

(2) The maximum prices established herein shall apply to contracts of sale entered into on or after August 26, 1942, and also to all deliveries made on or after that date against contracts entered into on or after May 4, 1942.

[Paragraphs (p) and (q) added by Am. 8, 7 F.R. 6853, effective 8-26-42]

(r) *Specific prices for private sales of certain Government-specification goods.*

(1) Notwithstanding any of the provisions of §§ 1400.77 and 1400.78 and any other provisions of this § 1400.82 except paragraph (1) and regardless of any contract, agreement, lease or other obligation, the maximum prices for finished piece goods of the types and made with reference to the specifications (in their present form or as hereafter amended) listed below, when such goods are sold to any person other than a war procurement agency, shall be as set forth in Table X hereof. The maximum prices so set forth are based on the widths therein indicated, and shall be reduced or increased in proportion to any reduction or increase in such widths which may be authorized or required by such specifications.

TABLE X

Line No.	Description	Specification	Width (inch basis)	Maximum price (cents per yd.)
1.00	8.2 oz. combed uniform twill.....	(A) G-501B.....		
1.01	Type I—Khaki.....		30	65
1.02	Type I—Slate gray.....		30	70
1.03	Type II—Khaki.....		30	63
1.04	Type II—Slate gray.....		30	67
1.05	Type III—Khaki.....		30	56
1.06	Type III—Slate gray.....		30	60
1.07	Type IV—Khaki.....		30	43.73
1.08	Type IV—Slate gray.....		30	47.73
1.09	Type V—Khaki.....		30	60.87
1.10	Type V—Slate gray.....		30	64.87
2.00	Bleached and shrunk twill.....	27 T 25 (INT) a.....		
2.01	Type C, white, 29".....		29	29.50
2.02	Type C, slate gray, 29".....		29	43.00
2.03	Type D, white, 32".....		32	41.69
2.04	Type D, slate gray, 32".....		32	50.09
3.00	Shrunk khaki suiting.....	Marine Corps specification—November 22, 1937.....	49	48.00
4.00	6 oz. combed twill, khaki.....	(A) G-311.....	30	43.73
5.00	Wind resistant cloth, Type II, poplin.....	F. Q. D. No. 1A.....	30	
6.01	Olive drab, shade No. 2.....			62.00
6.02	Olive drab, shade No. 7.....			65.73
6.03	Lining twill, olive drab, Allport twill.....	G-1000.....	32	61.60
7.00	Mesquite netting, olive drab.....	F. Q. D. No. 17A.....		
7.01	29" wide.....		29	14.67
7.02	47" wide.....		47	19.23
8.00	Balloon cloth.....	27 C 13 (INT) a.....		

TABLE X—Continued

Line No.	Description	Specification	Width (inch basis)	Maximum price (cents per yd.)
8.01	Type BB.....		()	()
8.02	Type HH.....		()	()
8.03	Type MM.....		()	()
8.04	Type RR.....		()	()
8.05	Type TT.....		()	()
9.00	Balloon cloth.....	6-39-G.....	()	()
9.01	Type BB.....		()	()
9.02	Type HH.....		()	()
9.03	Type KK.....		()	()
9.04	Type MM.....		()	()
9.05	Type RR.....		()	()
9.06	Type SS.....		()	()
10.00	Airplane cloth.....	AN-CCC-C-389.....	()	()
11.00	Marine shirting, olive drab, oxford.....	Marine Corps Specification April 18, 1934, revised to March 10, 1942.....	35½	30
12.00	Rubberized fabric.....	M 64.....	()	()
13.00	Black lining twill.....	27 L 6.....	()	()
14.00	Balloon cloth substitute.....	Specifications described in invitation Neg. 336.....	()	()
15.00	5½ oz. carded herringbone twill, standard 72 x 46.....	6-261 and amendment No. 1 thereto.....	36	-----
15.01	Olive drab, shade No. 8.....			39.50
15.02	Olive drab, shade No. 7.....			44.00
16.00	Nylon parachute cloth.....	AN-CCC-C-486 a.....		
16.01	Cuts of 30 yards or more:			
16.02	Firsts.....		36-37	40.00
16.03	Seconds.....		36-37	39.00
16.04	Cuts of less than 30 yards:			
16.05	Firsts.....		36-37	35.25
16.06	Seconds.....		36-37	34.375

*The maximum prices and width bases for goods so marked shall be the price and width specified in the last contract therefor awarded to the particular seller prior to August 26, 1942, by a war procurement agency, as defined in § 1400.81 (a) (16) (i) of this regulation. If the particular seller was not awarded any such contract prior to August 26, 1942, then his maximum prices and width bases shall be the price and width specified in the first contract therefor awarded to the particular seller on or subsequent to August 26, 1942, by a war procurement agency.

¹ Where used in this Table, "slate grey" denotes the shade so designated by the Navy as of September 1, 1943.

² Maximum prices for widths less than 29" shall be proportional to the maximum prices of the Type C 29" twill. Maximum prices for widths more than 29" shall be proportional to the maximum prices of the Type D 32" twill.

If nylon parachute cloth has been printed or dyed pursuant to a war procurement agency contract the seller may charge in addition to the price appearing in this table the actual cost of such printing or dyeing. As used herein the actual cost of printing or dyeing means the difference between (a) the cost incurred in finishing the cloth in colors or prints (b) and the cost which would have been incurred if the cloth had been finished in white. The provisions of § 1400.82 (r) (2) shall not apply to nylon parachute cloth. If nylon parachute cloth is redyed, reprinted, overprinted, or otherwise refinished, the maximum price for any resulting finished piece goods shall be determined as follows: (a) the applicable maximum price set forth in Table X shall be adjusted, in accordance with § 1400.82 (d) (2) or (4), to reflect the working gain or loss; (b) to the result obtained pursuant to (a) the seller may add: (1) the actual cost of the original dyeing or printing (as defined above) if dyed or printed pursuant to a war procurement agency contract, (2) the actual cost of transporting the goods to the finishing plant or an amount determined in accordance with § 1400.82 (c) (5) (ii), and (3) the actual cost of the refashioning. The maximum price so determined may not be increased by the use of any divisional factor otherwise than pursuant to § 1400.82 (i).

⁴ For widths less than 36" a width of 36" shall be used in determining a proportionate price; for widths over 37" a width of 37" shall be used in determining a proportionate price.

[Table X as amended by Am. 13, 8 F.R. 12935, effective 9-27-43. Footnote 3 as amended by Am. 14, 8 F.R. 15906, effective 11-27-43]

(2) Unless an exception is expressly provided, the above maximum prices shall be discounted as follows:

[Subparagraph (2) as amended by Am. 13, 8 F.R. 12935, effective 9-27-43]

(i) If the finished piece goods are rejects which are not finishers' seconds and are:

- 30 yards and up, discount by 5%.
- 20 to 30 yards, discount by 20%.
- 10 to 20 yards, discount by 30%.

[Subparagraph (i) as amended by Am. 11, 8 F.R. 4851, effective 4-19-43]

(ii) If the finished piece goods are finishers' seconds which are not rejects, they shall be discounted by the appropriate percentages set forth in § 1400.82 (i) (1)

(iii) If the finished piece goods are finishers' seconds of rejects, they shall first be discounted by the appropriate percentages set forth in subdivision (i) of this subparagraph and then by the appropriate percentages set forth in § 1400.82 (i) (1)

(3) When used in this subparagraph, "rejects" means finished piece goods which are rejected by a war procurement agency because they are made from defective grey goods, or are classified by the producer as grey goods which are below the standard required by the specification referred to in Table X.

(4) The maximum prices established by subparagraphs (1) and (2) of this paragraph are subject to credit terms as set forth in paragraph (h) of this section.

[Paragraph (r) added by Am. 8, 7 F.R. 6653; effective 8-26-42; amended by Am. 9, 7 F.R. 9823, effective 12-1-42; Am. 10, 8 F.R. 3057, effective 3-16-43; and as otherwise noted]

(s) Restrictions on sales of finished piece goods by certain producers. (1) The percentage of the total business of any producer during any calendar year which is represented by dollar sales of finished piece goods to persons other than cutters, manufacturers, retailers, or war procurement agencies shall be no greater in relation to his total business than the average percentage of such dollar sales during the years 1939, 1940, and 1941.

Provided, That without regard to the foregoing a producer may:

(i) Honor a preferencerating for goods to be exported; and

(ii) Through April 15, 1943, sell finished piece goods to any wholesaler, jobber, or converter-jobber who has certified in writing to such producer that during any 3-month period between July 1, 1943 and December 31, 1943, 65 per cent or more of his sales of finished piece goods were made to retailers and/or purchasers outside the continental United States.

[Subparagraph (i) amended by Am. 15, 8 F.R. 16797, effective 12-20-43; Am. 16, 9 F.R. 172, effective 1-8-44; and Am. 19, effective 3-7-44]

(2) The restrictions contained in subparagraph (1) of this paragraph shall not apply to a producer:

(i) Whose total dollar sales of finished piece goods during the years 1939, 1940 and 1941 were greater than 50% of his aggregate dollar sales of grey and finished piece goods; or

(ii) Whose sales of finished piece goods consist solely of sales to a war procurement agency and of sales of rejects of such finished piece goods.

(3) Every producer selling finished piece goods shall, on or before April 15, 1943, file with the Office of Price Administration, Washington, D. C., his name, address, and a statement of whether or not he comes within the restrictions of this paragraph. Every producer who comes within the restrictions of this paragraph, shall retain for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, accurate records for each year after 1942 and such records as he has for each of the years 1939, 1940 and 1941 of his aggregate dollar sales of all grey and finished piece goods; his total dollar sales of finished piece goods; and his total dollar sales of finished piece goods to persons other than cutters, manufacturers, retailers or war procurement agencies.

[Paragraph (s) added by Am. 9, 7 F.R. 9823, effective 12-1-42 and amended by Am. 10, 8 F.R. 3057, effective 3-16-43; and as otherwise noted]

(t) "Designer-converters" of certain yarn dyed or stock dyed cotton finished piece goods. (1) Any person selling yarn dyed or stock dyed carded cotton finished piece goods shall be regarded as a "designer-converter" as to those fabrics if he

(i) Is not the producer of the goods; and

(ii) Creates the style and supplies the producer with the design, pattern, construction and other specifications and is the person for whom the fabrics so styled are exclusively produced (devising slight or immaterial differences in color, pattern, construction or the like, from existing current styles, shall not be deemed style creation) and

(iii) Purchases such fabrics as are of first quality from the producer in full warp sets only and

(iv) Customarily receives delivery of such fabrics from the producer in installments according to a contract providing a predetermined schedule of delivery.

(2) Any producer who himself styles and sells yarn dyed or stock dyed cotton finished piece goods of the type customarily styled and sold by designer-converters, shall also be regarded as a designer-converter as to those fabrics.

(3) All designer-converters may use the division factors provided in Tables III and IV of paragraph (g) of this section in computing their maximum prices for fabrics of the above type. All wholesalers or jobbers other than designer-converters, who sell such fabrics shall be subject to the provisions of § 1400.82 (i)

(4) *Registration of designer-converters.* (i) No designer-converter shall sell or deliver any fabrics of the above type under the provisions of this paragraph unless he shall have filed, with the Office of Price Administration, Washington, D. C., his name, address, and the certification referred to in subdivision (ii) or (iii) of this paragraph, and have received written acknowledgment that the certification is proper.

(ii) If the registrant is not the producer of the fabrics as to which he is a designer-converter, his registration shall be accompanied by the certifications of the producers from whom he purchases such fabrics. The certifications shall list each of the qualifications for designer-converters under the provisions of subparagraph (1) of this paragraph

and the producers shall certify that the registrant meets each of those qualifications.

(iii) If the registrant is the producer of the fabrics as to which he is a designer-converter, his registration shall be accompanied by his certification to the effect that he meets the qualifications for designer-converters under the provisions of subparagraph (2) of this paragraph.

[Paragraph (t) added by Am. 10, 8 P.R. 3957, effective 3-16-43]

(u) *Specific prices for moleskins and suedes.*—(1) *Specific prices for moleskins.* On and after March 16, 1943, notwithstanding any of the provisions of §§ 1400.77 and 1400.82 except paragraph (i) the maximum prices for the following fabrics shall be as set forth in Tables XI and XII of this paragraph:

TABLE XI—PLAIN MOLESKINS

Producer or converter	Grey goods construction	Finished cloth description	Finished cloth style	Color and color style designation	Dye	Cents per yard
Cone Export & Commission Company	40", 1.62 yards, 60 x 88.....	36" 9½ to 10 ounces.....	Greyfall.....	Drab 439, forest green 415, standard.	Sulphur.....	41.25
	46", 1.62 yards, 60 x 88.....	36" 9½ to 10 ounces.....	Greyfall.....	Navy 423, seal brown 429; black 441, high collar.	Sulphur.....	43.75
	40" 1.62 yards, 60 x 88.....	36" 9½ to 10 ounces.....	Greyfall.....	Dark brown 449, high collar.	Sulphur.....	44.75
	40" 1.42 yards, 60 x 116.....	36" 10¾ to 11¼ ounces.....	Greenware.....	Drab 439, forest green 415, standard.	Sulphur.....	45.00
Wellington Sears Co.	40" 1.42 yards, 60 x 116.....	36" 10¾ to 11¼ ounces.....	Greenware.....	Navy 423, seal brown 429; black 441, high collar.	Sulphur.....	45.40
	40" 1.42 yards, 60 x 116.....	36" 10¾ to 11¼ ounces.....	Greenware.....	Dark brown 449, high collar.	Sulphur.....	46.40
	53¼ 1.32 yards, 96 x 64, sateen.	50" 11¾ to 12 ounces, warp sateen.	Greenware.....	Drab, brush brown, standard.	Sulphur.....	42.00
	53" 1.32 yards, 96 x 64, sateen.	50" 11¾ to 12 ounces, warp sateen.	Greenware.....	Dark seal, special tan; black, standard.	Sulphur.....	47.00

TABLE XII—BLACK AND WHITE MOLESKINS

Producer or converter	Grey goods construction	Finished goods construction	Finished cloth style	Cents per yard regular finish	Cents per yard sanfonized finish
Cone Export & Commission Company	32", 2.00 yards, 88 x 44, twill.....	36" 7¼ to 7¾ ounces.....	36" Homeric.....	20.75	24.00
	36", 1.60 yards, 88 x 44, twill.....	36" 9 to 9¼ ounces.....	36" Homeric.....	37.20	
	40", 1.60 yards, 84 x 72, sateen.....	36" 9¼ to 10 ounces.....	36" Hawthorne.....	41.37	
	40", 1.42 yards, 60 x 116, moleskin.....	36" 10¾ to 11 ounces.....	36" Hobart.....	43.00	
J.L. Stifel & Sons, Inc.	32", 2.00 yards, 88 x 44, twill.....	36" 7¼ to 7¾ ounces.....	36" 301 Whitebird.....	20.75	24.00
	34", 1.80 yards, 84 x 72, sateen.....	36" 8 to 8½ ounces.....	36" 191 Infinitely.....	33.00	
	34½", 1.65 yards, 64 x 112, moleskin.....	36" 8½ to 9¼ ounces.....	36" 482 Ironclad.....	40.00	
	32", 2.00 yards, 88 x 44, twill.....	36" 7¼ to 7¾ ounces.....	36" 600 Range.....	20.75	24.00
Turner Halsey Co., Inc.	34", 1.80 yards, 84 x 72, sateen.....	36" 8 to 8½ ounces.....	36" 600 Range.....	33.00	
	34½", 1.65 yards, 64 x 112, moleskin.....	36" 8½ to 9¼ ounces.....	36" 600 Range.....	40.00	

(2) *Specific prices for suedes.* On and after March 16, 1943, notwithstanding any of the provisions of §§ 1400.77 and 1400.82 except paragraph (i) the maximum

prices for the following fabrics when sold to clothing manufacturers for use as work clothing shall be as set forth in Table XIII of this paragraph:

TABLE XIII—SHIRTING SUEDES 36" FINISHED WIDTH

Producer or converter	Grey goods construction	Finished cloth style designation	Color and color style designation	Cents per yard
Cone Export & Commission Company	40", 3.00 yards, 42 x 44.....	Opesum suede.....	Grey # 42.....	23.00
Eagle & Phoenix Mills.....	40", 2.82 yards, 46 x 39.....	Star suede.....	Leather # 42.....	23.00
			Navy # 42.....	21.70
Pepperell Manufacturing Co.....	40½" 3.00 yards, 42 x 44.....	Forester suede.....	Grey # 18.....	23.00
			Leather # 42.....	23.00
			Navy # 42.....	21.70
			Grey # 19.....	23.00
			Leather # 20.....	23.00
			Navy # 20.....	21.70

(3) The maximum prices established by subparagraphs (1) and (2) shall apply to all contracts of sale entered into on or after March 16, 1943.

(4) For any moleskins which are not specifically set forth in subparagraph

(1) of this paragraph and for any suedes sold to clothing manufacturers for use as work clothing which are not specifically set forth in subparagraph (2) of this paragraph, the maximum price shall

be a price in line with^a the maximum price established in those subparagraphs for the most nearly related type, construction, finish, color and dye. The seller shall make no sale or delivery based upon such price until he has submitted to the Office of Price Administration, Washington, D. C., the proposed price, a complete description of the specifications as set forth in Tables XI, XII, or XIII, whichever is applicable, and the way in which the price was calculated, and until the proposed price has been approved.

[Subparagraph (4) as amended by Am. 11, 8 P.R. 4351, effective 4-19-43].

^a As used herein, the term "in line with" means (1) based upon and having a justifiable relationship to, and (2) appropriately increased or decreased to take account of differences in construction, finish, dye, color and such other material factors as, in sound cost determination, are considered to have a direct bearing on the cost of production of the respective fabrics.

(5) The maximum prices for mole-skirts and suedes included in this paragraph shall be subject to terms of three percent 10 days, f. o. b. mill.

[Paragraph (u) added by Am. 10, 8 F.R. 3057, effective 3-16-43]

(v) *Restrictions on sales of finished piece goods by certain cutters or manufacturers.* (1) After March 15, 1943, notwithstanding any of the provisions of Maximum Price Regulation No. 204,²³ no cutter or manufacturer may sell more than 1000 yards of finished piece goods during any calendar month, except that this restriction shall not apply.

[Subparagraph (1) as amended by Am. 11, 8 F.R. 4851, effective 4-19-43]

(i) To sales of finished piece goods to another cutter or manufacturer or to a retailer; or

(ii) To finished piece goods which the cutter or manufacturer has had in his possession for more than six months; or

(iii) Where a cutter or manufacturer who, as a separate and substantial portion of his business has regularly been engaged in wholesaling or jobbing, resells finished piece goods purchased exclusively for the purpose of resale and not for use in connection with his cutting or manufacturing operations.

[Paragraph (v) added by Am. 10, 8 F.R. 3057, effective 3-16-43]

(w) *Maximum price for finished piece goods produced from certain imported grey goods.* (1) Regardless of any contract, agreement, or other obligation the maximum price for finished piece goods which are produced from grey goods manufactured in a foreign country and imported into the continental United States by the converter pursuant to a contract with the foreign seller or his agent entered into prior to November 10, 1943, shall be the aggregate of the actual landed duty paid cost of the grey goods and the four items set forth in subparagraphs (2) (3) (4) and (5) of paragraph (a) of this § 1400.82, which sum may be divided by 0.935 but by no other division factor except in accordance with paragraph (h) of this section.

[Subparagraph (1) as amended by Am. 18, 9 F.R. 2087, effective 2-21-44]

(2) Every contract of sale or invoice for finished piece goods the maximum price for which is determined under this paragraph (w) shall contain in addition to the information set forth in paragraph (a) of § 1400.77 a statement that the maximum price is determined under subparagraph (w) of § 1400.82 of Maximum Price Regulation No. 127, and that no mark-up whatsoever over that price is permitted on any resale of the fabric.

(3) Every converter pricing finished piece goods under subparagraph (b) (3) (i) and (w) of this § 1400.82 shall on or before January 3, 1944, file a report of all commitments entered into prior to November 10, 1943, for the purchase of the imported grey goods with the Consumer Goods Division, Office of Price Administration, Washington, D. C. Such reports shall contain:

- (i) Name and address of the converter.
- (ii) Name and address of the foreign seller or his agent.

²³ Revised; 8 F.R. 11376, 12795.

(iii) Nature of commitment and date thereof.

(iv) The total yardage involved in each commitment.

(v) A description of the grey goods sufficient to identify them in the sellers' records maintained pursuant to § 1400.75 hereof.

[Paragraph (w) added by Am. 15, 8 F.R. 16797, effective 12-20-43]

§ 1400.83 *Temporary Maximum Price Regulation No. 10—Finished Piece Goods Made of Cotton, Rayon and Mixtures Thereof.* On the effective date provided in § 1400.84, this Maximum Price Regulation No. 127 replaces and revokes Temporary Maximum Price Regulation No. 10 —Finished Piece Goods Made of Cotton, Rayon and Mixtures thereof, issued by the Price Administrator. Until such date Temporary Maximum Price Regulation No. 10 remains in full force and effect as set forth in § 1400.12 thereof.

§ 1400.84 *Effective date.* This Maximum Price Regulation No. 127 (§§ 1400.71 to 1400.84, inclusive) shall become effective May 4, 1942. [Issued April 27, 1942]

§ 1400.85 *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3009; Filed, March 1, 1944; 4:25 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5; Amdt. 46]

FOOD RATIONING FOR INSTITUTIONAL USERS Correction

In F.R. Doc. 44-2222 appearing on page 1810 of the issue for Wednesday, February 16, 1944, the first word in sections 7.4, 7.5, and 7.6 should read "Computation" instead of "Commutation"

PART 1305—ADMINISTRATION

[Gen. RO 5; Amdt. 50]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 5.1 (a) is amended by adding the following sentence at the end thereof: "An institutional user who was required to file the supplement to his registration (on OPA Form R-1307 Supplement) and failed to do so, is not entitled to any allotments until he fur-

*Copies may be obtained from the Office of Price Administration.

7 F.R. 2004.

* 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 17486; 9 F.R. 401, 455, 692, 2212.

hishes the information called for by that form."

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3007; Filed, March 1, 1944; 4:27 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A, Amdt. 70]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 1A is amended in the following respects:

1. The headnote of § 1315.508 is amended to read as follows: "Eligibility of wholesalers for allotments of Grade I tires and passenger-type tubes."

2. Section 1315.508 (a) (3) is hereby revoked.

3. Section 1315.508 (b) (1) is amended to read as follows:

(1) 200 Grade I tires for each establishment where the applicant will sell tires and tubes.

4. Section 1315.602 (d) (2) is amended by deleting the word "or" at the end thereof and the semicolon preceding it, and substituting a period therefor.

5. Section 1315.602 (d) (3) is hereby revoked.

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3012; Filed, March 1, 1944; 4:28 p. m.]

PART 1340—FUEL

[MPR 88]

FUEL OIL, GASOLINE, LIQUEFIED PETROLEUM GAS, NAPHTHAS AND SOLVENTS

Correction

In F. R. Doc. 44-2187 of the document appearing on page 1783 of the issue for Wednesday, February 16, 1944, the first number under the column headed "Cents per gallon" in the table of section 2.11 (d) should read "6.125" instead of "5.875"

PART 1340—FUEL
[MPR 122, Amdt. 19]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of Federal Register.

Revised Maximum Price Regulation No. 122 is amended in the following respect:

In § 1340.255 (a) (5) a new sentence is added to read as follows:

The maximum prices set forth in Maximum Price Regulation No. 112 for February 1944 shall be deemed by the dealer to be the supplier's maximum price until March 5, 1944.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 76th Cong., E.O. 9250, 7 F.R. 7671, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3014; Filed, March 1, 1944;
4:28 p. m.]

PART 1389—APPAREL

[MPR 438, Amdt. 4]

MANUFACTURERS' PRICES FOR CERTAIN FALL AND WINTER OUTERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 438 is amended in the following respects:

1. The date in the third unnumbered paragraph of section 3 is amended to read June 1, 1944.

2. The date in the fourth unnumbered paragraph of section 4 (a) is amended to read June 1, 1944.

3. The date in the last sentence of section 6 (b) (1) is amended to read June 11, 1944.

4. The date in the fifth sentence of section 6 (b) (2) is amended to read June 11, 1944.

5. The date in the last sentence of the text of section 6 (b) (3) is amended to read June 21, 1944.

6. The date in the first sentence of the effective date provision is amended to read June 1, 1944. The date March 1, 1944, in the third sentence of this provision is amended to read June 1, 1944.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3013; Filed, March 1, 1944;
4:28 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 10503, 12712, 14012, 9 F.R. 172.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 15 to Rev. Supp. 1]

SAUSAGE AND PORK PRODUCTS; USE OF SPARE STAMP 4

Section 1407.3027 (e) (5) is added to read as follows:

(5) "Spare" stamp numbered "4" in War Ration Book Four, is good for five points. It may be used by consumers from March 1, 1944 to 12:01 a. m., March 5, 1944, only to acquire all types of sausage, and 100 percent pork products, except lard. It may be used by persons other than consumers in the same way as a five point brown stamp.

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 720, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9230, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3010; Filed, March 1, 1944;
4:25 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 515, Amdt. 1]

SOYBEANS OF THE 1943 CROP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The effective date provision of this regulation is amended to read as follows:

This regulation shall become effective March 1, 1944, except that prior to September 30, 1944, the provisions of this regulation shall not apply to deliveries of soybeans of the 1943 crop made pursuant to contracts entered into on or before February 24, 1944.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: March 1, 1944.

ASHLEY SELLENS,
Assistant War Food
Administrator

[F. R. Doc. 44-3011; Filed, March 1, 1944;
4:25 p. m.]

¹ 8 F.R. 16834, 16939, 16993, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2591, 2007.

PART 1316—COTTON TEXTILES

[RPS 35, Corr. to Amdt. 16¹]

CARDED GREY AND COLORED-YARN COTTON GOODS

In § 1316.61 (c) (5) the table after the first paragraph is corrected by inserting as a sub-head the parenthetical phrase "(cents per yard)" in the column headed "Premium allowable" immediately after the second item and immediately above the first item reading "1/2"

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3041; Filed, March 2, 1944;
11:30 a. m.]

PART 1340—FUEL

[MPR 510, Correction]

LUBRICATING OILS, GREASES, AND CERTAIN OTHER PETROLEUM PRODUCTS

In section 1 (b) of the list of commodities set forth is corrected to read as follows:

Motor oils including aviation oils, stock oils (neutrals, bright stocks, steam refined and other stock oils) greases, industrial oils, petroleum sulphonates, petroleum coke (except when sold by resellers as fuel), mineral oil polymers, and any other fraction of crude petroleum which is sold as a source of any of the foregoing commodities, unless specifically excluded in the following paragraph.

This correction shall be effective March 8, 1944.

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3042; Filed, March 2, 1944;
11:30 a. m.]

PART 1370—ELECTRICAL APPLIANCES

[MPR 111, Amdt. 12]

NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 111 is amended in the following respects:

1. Section 1370.4 (a) (2) is amended by deleting therefrom the words "in accordance with § 1370.7 (b) (1) "

2. Section 1370.4 (b) is amended by deleting therefrom the words "on the

¹ 8 F.R. 1963, 5306, 15906, 16744.

² 9 F.R. 1722.

³ 7 F.R. 2307, 2794, 3339, 3447, 3776, 4223, 6049, 7639, 8937; 8 F.R. 3252, 5634, 8660, 8378, 15531.

basis of a report to it in accordance with § 1370.7 (b) (2) "

3. Section 1370.12 (a) is amended by deleting therefrom the heading "1941 Models" which appears above the schedule of retail prices.

4. Section 1370.12 (a) is amended by adding to The Hoover Company's price list, the following maximum prices for vacuum cleaners and attachments:

Model	Description	Retail price
27.....	Floor type—Motor driven brush.	\$57.50
2700.....	10 piece attachment set...	16.50

5. Section 1370.12 (d) (2) is amended by deleting therefrom the words "after the submission to it of a report in accordance with § 1370.7 (b) (2) "

This amendment shall become effective on the 8th day of March 1944.

Ration period	Stamp valid during ration period	Weight value of stamp
#6 February 14 to February 20, 1944.....	Book No. 1 Stamp No. 6.....	1 pound of corn meal.
#7 February 21 to February 27, 1944.....	Book No. 1 Stamp No. 7.....	1 pound of corn meal.
#8 February 28 to March 5, 1944.....	Book No. 1 Stamp No. 8.....	1 pound of corn meal.
#9 March 6 to March 12, 1944.....	Book No. 1 Stamp No. 9.....	1 pound of corn meal.
#10 March 13 to March 19, 1944.....	Book No. 1 Stamp No. 10.....	1 pound of corn meal.
#11 March 20 to March 26, 1944.....	Book No. 1 Stamp No. 11.....	1 pound of corn meal.
#12 March 27 to April 2, 1944.....	Book No. 1 Stamp No. 12.....	1 pound of corn meal.

NOTE: In the Municipality of St. Croix only, the weight value of Stamps No. 6 to 12 inclusive, shall be two pounds of corn meal.

2. In § 1407.704 (a) the numeral "8" is changed to read "4", and the numeral "12" is changed to read "8"

This amendment shall become effective February 14, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9250, 7 F.R. 7671, WPB Dir. No. 1, E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005; F.D. No. 9, 8 F.R. 9600)

Issued this 8th day of February 1944.

NELSON H. NICHOLS, JR.,
Acting Territorial Director
Virgin Islands.

Approved:

JAMES P DAVIS,
Regional Administrator
Region IX.

[F. R. Doc. 44-3044; Filed, March 2, 1944; 11:31 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS [Restaurant MPR 9-1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN THE ISLAND OF OAHU, TERRITORY OF HAWAII.

In the judgment of the Territorial Director for the Territory of Hawaii, the prices of food and beverages sold for immediate consumption in the Island of Oahu, Territory of Hawaii, have risen

*Copies may be obtained from the Office of Price Administration.

7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 3315, 3843, 4190, 4892, 5268, 7017.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3043; Filed, March 2, 1944; 11:30 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10, Amdt. 15]

CORN MEAL IN THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 10 is amended in the following respects:

1. The table in § 1407.687 is amended to read as follows:

Ration period	Stamp valid during ration period	Weight value of stamp
#6 February 14 to February 20, 1944.....	Book No. 1 Stamp No. 6.....	1 pound of corn meal.
#7 February 21 to February 27, 1944.....	Book No. 1 Stamp No. 7.....	1 pound of corn meal.
#8 February 28 to March 5, 1944.....	Book No. 1 Stamp No. 8.....	1 pound of corn meal.
#9 March 6 to March 12, 1944.....	Book No. 1 Stamp No. 9.....	1 pound of corn meal.
#10 March 13 to March 19, 1944.....	Book No. 1 Stamp No. 10.....	1 pound of corn meal.
#11 March 20 to March 26, 1944.....	Book No. 1 Stamp No. 11.....	1 pound of corn meal.
#12 March 27 to April 2, 1944.....	Book No. 1 Stamp No. 12.....	1 pound of corn meal.

and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

In the judgment of the Territorial Director for the Territory of Hawaii, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the act. So far as practicable, the Territorial Director gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living" 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, as amended, the Territorial Director for the Territory of Hawaii hereby issues this Restaurant Maximum Price Regulation No. 9-1 establishing, in general, as maximum prices for food and drink sold for immediate consumption in the Island of Oahu, Territory of Hawaii, the prices prevailing therefor during the 14 day period beginning January 3, 1943, and ending January 16, 1943.

§ 1418.157 Maximum prices for food and drink sold for immediate consumption in the Island of Oahu, Territory of Hawaii. Under the authority vested in the Territorial Director for the Territory of Hawaii by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, General Order No. 39 issued by the Price Administrator, and Region IX Delegation Order No. 1 issued by the Regional Administrator for Region IX, Restaurant Maximum Price Regulation No. 9-1 (Food and Drink Sold for Immediate Consumption in the Island of Oahu, Territory of Hawaii) which is annexed hereto and made a part hereof, is issued.

AUTHORITY: § 1418.157 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; General Order 39, 7 F.R. 10500; Region IX Delegation Order No. 1, 9 F.R. 710.

RESTAURANT MAXIMUM PRICE REGULATION NO. 9-1—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN THE ISLAND OF OAHU, TERRITORY OF HAWAII

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Sec.

1. Sales at higher than ceiling prices prohibited.
2. How you figure your ceiling prices for food items and meals if you operated during the 14 day period beginning Sunday, January 3, 1943, and ending Saturday, January 16, 1943.
3. How you figure ceiling prices if you were not in operation in the 14 day period but are in operation on the effective date of this regulation.
4. Rules for new proprietors.
5. How you figure your ceiling price if you operate a boarding house.
6. Substitution of food items in meals.
7. Classes of food items and meals.
8. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item, or meal of the same class, in the base period.
9. Prohibition against discontinuing meals at certain prices.
10. Eviction.
11. Records.
12. Posting.
13. Operation of several places.
14. Relation to other maximum price regulations.
15. Definitions and explanations.
16. Exempt sales.
17. Special orders.
18. Petitions for amendment or applications for adjustment.
19. Licensing.
20. Enforcement.
21. Geographical application.

SECTION 1. Sales at higher than ceiling prices prohibited. If you own or operate a restaurant, hotel, cafe, delicatessen, soda fountain, boarding house or any other eating or drinking place you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price fixed by the next five sections. (Sections 2, 3, 4, 5 and 6)

Sec. 2. How you figure your ceiling prices for food items and meals if you operated during the 14 day period beginning Sunday, January 3, 1943, and ending Saturday, January 16, 1943—(a). How you figure ceiling prices for food items and meals you offered in the 14 day period. (1) Your ceiling price for any food item or meal which you offered

in the 14 day period beginning January 3, 1943, and ending Saturday, January 15, 1943, is the highest price at which you offered the same food item or meal of the same class in that period.

(b) *How you figure ceiling prices for food items and meals you did not offer in the 14 day period.* You must figure your ceiling price for a food item or meal which you did not offer in the 14 day period as follows:

(1) Choose from the food items or meals for which a ceiling price has already been fixed the food item, or meal of the same class, which is most similar to the food item or meal you are pricing; and

(2) Figure a price "in line" with the ceiling price for the most similar item, or meal of the same class. The price is "in line" if the customer receives as much value for his money from the one item or meal as from the other, even though the two prices may be different. In comparing values, quality, size of portions, and the margin over food costs are the things that count.

(3) If no meals of the same class were offered during the 14 day period, then you are considered as not having been in operation with respect to such meal.

(c) *Reports of similar food items and meals priced under paragraph (b) above.* Any person fixing a ceiling price under paragraph (b) above, shall report the ceiling price as computed by him to the Office of Price Administration, Iolani Palace, Honolulu, T. H., within seven days after such food item or meal was first offered for sale. The report shall contain the name and address of the seller; a description and the ceiling price of the food item or meal offered for sale; and a description and the ceiling price for the food item or meal used for comparison purposes. The new price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

SEC. 3. *How you figure ceiling prices if you were not in operation in the 14 day period but are in operation on the effective date of this regulation.* (a) If you opened any type of eating or drinking place between January 17, 1943, and January 10, 1944, the effective date of this regulation, you fix your ceiling prices by applying section 2, above, except that you must substitute your first 14 days of operation as your base period instead of the base period listed in that section: *Provided, however* That your ceiling prices established under this paragraph may not be higher than the general level of ceiling prices established under section 2. You must comply with the reporting provisions of that section.

SEC. 4. *Rules for new proprietors.* (a) If you acquire another's business and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor.

(b) If you open an eating or drinking place after January 10, 1944, the effective date of this regulation, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place

of the same type as yours. Then, you must report these ceiling prices to the Office of Price Administration, Iolani Palace, Honolulu, T. H., at least seven days before the time you propose to commence operations. The report shall contain your name and address; a description of the food items or meals to be offered for sale, and the ceiling prices thereof; the name and address of the nearest eating or drinking place of the same type as yours; a description of the food items or meals used for comparison purposes, and the ceiling price thereof. These prices shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration. You are subject to the record requirements of section 11 below (in so far as applicable) and the posting requirements of section 12 below, immediately upon the opening of your place of business.

SEC. 5. *How you figure your ceiling price if you operate a boarding house.* (a) If you operate a boarding house, your ceiling price for the meals which you serve is the highest price (on the same fixed plan basis) at which you offered the same or similar meals during November 1943. New boarding houses beginning operation after the effective date of this regulation establish their ceiling prices under section 4 above.

(b) If you operate a boarding house which is licensed under section 2475 of Revised Laws of Hawaii, 1935, you must comply with the record requirements of section 11, below. Unlicensed boarding houses need not comply with such record requirements. No boarding house need comply with the posting requirements of section 12, below.

(c) If you operate a hotel on the American Plan basis, you may make application to the Office of Price Administration, Iolani Palace, Honolulu, T. H., for permission to figure your ceiling prices on the basis of paragraph (a) above.

SEC. 6. *Substitution of food items in meals.* After you have determined your ceiling price for a meal, you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces.

SEC. 7. *Classes of food items and meals.* (See definitions of "food item" and "meal" contained in paragraph 15, below.)

(a) *The classes of food items.*

BREAKFAST ITEMS

- (1) Fruits, fruit juices and vegetable juices.
- (2) Cereals.
- (3) Entrees: egg and combination egg dishes served at breakfast.
- (4) Entrees: meat and meat combination, and meat and egg combination dishes served at breakfast.
- (5) Entrees: all other dishes served at breakfast.
- (6) Breads, rolls, buns, Danish-pastries, etc., served at breakfast.
- (7) All other breakfast dishes including jams, jellies and preserves.

OTHER ITEMS

- (8) Appetizers, including cocktails.
- (9) Soups, including soups in jelly.
- (10) Beef; steaks and roasts.
- (11) Veal; steaks, chops and roasts.
- (12) Pork; loin, chops, steaks, roasts.
- (13) Lamb or mutton; chops, roasts.
- (14) Poultry and fowl.
- (15) Fish and shell-fish.
- (16) Game.
- (17) Miscellaneous and variety meats, including liver and kidneys.
- (18) Prepared dishes such as stews, casseroles, ragouts, curries, etc.
- (19) Egg and cheese dishes and combinations thereof.
- (20) All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
- (21) Vegetables, including potatoes.
- (22) Salads (except when served as a main course or appetizer course in a meal).
- (23) Desserts: cakes, cookies, pies, pastries and other baked goods.
- (24) Desserts: ice cream, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
- (25) Desserts: all others, including fruits, puddings and cheese.
- (26) Cold sandwiches, including garnishings, salads and vegetables.
- (27) Hot sandwiches, including garnishings, salads and vegetables.
- (28) All other food items served in a meal including mints and preserves.
- (29) Beverage foods, including coffee, cocoa, chocolate, tea and milk.
- (30) Non-alcoholic beverages, including sparkling and mineral waters.

(b) *Classes of meals.* For purposes of this section there shall be 6 classes of meals, namely, breakfast, lunch and dinner during week days, and breakfast, lunch and dinner on Sundays.

SEC. 8. *No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item, or meal of the same class, in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or meal than your highest ceiling price for food items or meals of the same class, offered in the 14 day period beginning January 3, 1943, and ending January 16, 1943, (or in your applicable base period) except that any proprietor who has customarily in the regular course of his business charged higher prices for meals or food items, (including beverages) on any one or more of the following holidays: namely, New Year's Day, Easter, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas, and New Year's Eve, may continue to charge such higher prices on such holidays not, however, to exceed an increase of 30 percent above his regular Sunday price.

Example 1. If you figured an "in line" price for a new week-day dinner at \$1.25, and your highest ceiling price in the week-day dinner class is \$1.00, your ceiling price for the new dinner is \$1.00.

Example 2. If your highest ceiling price for any soup offered by you during the base period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

SEC. 9. *Prohibition against discontinuing meals at certain prices.* You must not now discontinue offering meals at prices comparable to those charged by you in your base period, if by your doing so your

customers would actually have to pay more than they did in that period. You will be in violation of this rule unless:

(a) You continue to offer meals at different prices representative of the range of prices at which you offered meals of the same class during your base period, and unless

(b) You continue to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day that you select in your base period, as you did on that day.

Note that Sunday meals and week-day meals are meals of a different class.

Example. If you select Friday, January 8, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each of 90¢, \$1.00, \$1.10 and \$1.15, you must continue to offer two week-day dinners at 85¢.

SEC. 10. Evasion. You must not evade the provisions of this regulation by any scheme or device, including:

(a) Deteriorating quality or reducing quantity without making appropriate reductions in price. However, you may make such changes in your customary practices with regard to the quality and quantity of food furnished, and types of meals served as may be necessitated by genuine emergencies, without reducing your ceiling prices. A situation may be regarded as a genuine emergency when you cannot reasonably be expected to have foreseen and prepared against its consequences;

(b) Withdrawing the offer, or increasing the price of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(c) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in your base period;

(d) Refusing to sell a combination of food items as meals if such meals were offered in your base period, and the items making up the combination are being offered separately.

(e) You will not be considered evading the provisions of this regulation, however, if you limit your customers to one pat of butter per meal.

SEC. 11. Records—(a) Filing of price list. On or before January 17, 1944, any person (except operators of certain boarding houses—see section 5, above) subject to this regulation must file with the Office of Price Administration, Iolani Palace, Honolulu, T. H., a list showing a description of all food items (including beverages) and meals of the same class, which were offered for sale at his place of business during the applicable base period and the highest price charged during that period therefor. In addition, boarding houses required to fill their ceiling prices must also show their January 3–January 16, 1943, prices, if available, on the list they file. The list so filed shall be signed by the proprietor or one of his responsible officers or employees,

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales, including a copy of each menu used by you during your base period. You must continue to maintain such records as you ordinarily used as well as those required under section 12 (b) below. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of base period.* You must make available for examination by any person during your ordinary business hours a copy of the price list filed by you with the Office of Price Administration under paragraph (a) above.

SEC. 12. Posting. (a) Beginning January 10, 1944, each menu must have clearly and plainly written on or attached to it the following statement:

All prices listed hereon are at or below our OPA ceiling prices.

(b) You must make available to customers menus showing your prices for all food items or meals which you offer for sale.

(c) A sign containing such prices and statement posted in a conspicuous place in your place of business and which is easily readable by your customers, will satisfy the requirements of paragraphs (a) and (b) above.

SEC. 13. Operation of several places. If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 14. Relation to other maximum price regulations. The provisions of this regulation shall not apply to any sale for which a maximum price is established by Maximum Price Regulation No. 373, the General Maximum Price Regulation for the Territory of Hawaii, or by any other regulation or order, now or hereafter issued, by the Office of Price Administration.

SEC. 15. Definitions and explanations. (a) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal." Examples for such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(b) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(c) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(d) "Eating or drinking place" shall include any place, establishment or location, whether temporary or permanent, from which any food item or meal is sold except those places which are specifically exempted in paragraph 16, below.

(e) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation for Hawaii, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 16. Exempt sales. Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday School and other religious occasions.

(b) Eating and drinking places operated by the Office of Civilian Defense.

(c) Public and private hospitals.

(d) Eating and drinking places operated by a school, college, university or other educational institution.

(e) Eating and drinking places owned or operated by charitable, religious or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholders, or individual, and

(1) The net profits, if any, are devoted to religious, charitable or cultural purposes generally recognized as such in the community where the food items and meals are served by such organization; or

(2) It sells food items and meals only served primarily on a non-profit basis to members of the Armed Forces.

(f) Eating cooperatives formed by officers in the Armed Forces (as for example, Officers' Mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit) and substantially all sales of which are made to officers who are members of the cooperative.

(g) Bona fide private clubs which file with the Office of Price Administration, Iolani Palace, Honolulu, T. H., a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues of more than a mere nominal amount (the amount of dues paid by each class of members and the period covered by such dues should be indicated) and are elected to membership by a governing board, membership committee or other body and

(4) It is otherwise operated as a club. Five days after filing such information or earlier if so notified by the Territorial Director, a private club may consider itself exempt unless and until it is otherwise notified by the Territorial Director. Any club which, subsequent to such filing, changes its operations with respect to any of the requirements stated above shall immediately notify the Office of Price Administration, Iolani Palace, Honolulu, T. H., accordingly. Any club

which sells food items or meals to persons other than members and bona fide guests of members is subject to this regulation with respect to all sales.

Sec. 17. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the adjustment of the maximum price of any food item or items or meal or meals sold or offered for sale by any seller or sellers when, in the judgment of the Territorial Director, such action is necessary or desirable to prevent excessive charges, to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

Sec. 18. *Petitions for amendment or applications for adjustment—(a) Petition for amendment.* You may petition for an amendment of any provision of this regulation by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the Territorial Director for the Territory of Hawaii.

(b) *Application for adjustment.* You may apply for an adjustment of the ceiling prices established by this regulation by proceeding in accordance with Procedural Regulation No. 7.²

Sec. 19. *Licensing.* The provisions of Licensing Order No. 1,³ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Under Licensing Order No. 1, a license is automatically granted without application by the seller.

Sec. 20. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended, and to administrative suspension order proceedings under any applicable rationing orders and Procedural Regulation No. 4.

Sec. 21. *Geographical application.* This regulation applies to the Island of Oahu, Territory of Hawaii.

This regulation shall become effective as of January 10, 1944.

NOTE: The reporting and record-keeping provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 5681, General Order 39, 7 F.R.

10500; Region IX Delegation Order No. 1, 9 F.R. 710)

Issued this 28th day of December 1943.

MELVIN C. ROBBINS,
Territorial Director for the
Territory of Hawaii.

[F. R. Doc. 44-3045; Filed, March 2, 1944;
11:31 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMFR, Amdt. 93]

RAILWAY SIGNAL TRACK TORPEDOES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.⁴

Section 4.22 is added to read as follows:

Sec. 4.22 *Railway signal track torpedoes.* The maximum price on sales of railway signal track torpedoes of the type hereinafter described shall be \$4.00 per gross f. o. b. seller's shipping point or the seller's maximum price otherwise established under the General Maximum Price Regulation, whichever is higher.

This section applies to a railway signal track torpedo which meets the specifications of the Association of American Railroads and is narrow-shaped, one-piece, multifold-jacketed, aluminum or lead foil type containing a soft dry load packed in a waterproof and steamproof kraft paper cartridge case.

This amendment shall become effective March 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3046; Filed, March 2, 1944;
11:30 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

HEALTH REQUIREMENTS FOR REINSTATEMENT

§ 10.3423 *Health requirements.* National Service Life Insurance may be reinstated if application and tender of premiums are made:

(a) While the insured is in the active service, provided applicant be in as good health on the date of application and tender of premiums as he was on the due date of the premium in default and furnishes evidence thereof satisfactory to the Administrator of Veterans Affairs. If application and tender of premiums are made within six months after the date of separation from active service or

⁴Copies may be obtained from the Office of Price Administration.

on or before August 31, 1944, insurance may be reinstated subject to the conditions herein prescribed for reinstatement by persons in the active service: *Provided*, That when the insured makes inquiry prior to the expiration of the grace period disclosing a clear intent to continue insurance protection, such as a request for information concerning premium rates or conversion privileges, etc., an additional reasonable period not exceeding sixty days may be granted for payment of premiums due without the requirement of a comparative health statement; but the premiums in any such case must be paid during the lifetime of the insured: *Provided further* That reinstatement under this subparagraph shall be restricted to applications submitted not more than six months after the termination of the present war.

(b) After expiration of the period mentioned in paragraph (a) hereof provided applicant is in good health on the date of application and tender of premiums, and furnishes evidence thereof satisfactory to the Administrator of Veterans' Affairs. (February 26, 1944.) [54 Stat. 1012; 38 U.S.C. 8081]

[SEAL]

FRANK T. HINES,
Administrator.

[F. R. Doc. 44-3059; Filed, March 2, 1944;
12:09 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[S. O. 93, Amdt. 3]

PART 95—CAR SERVICE

GIANT TYPE REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of February, A. D. 1944.

Upon further consideration of Service Order No. 93 (7 F.R. 8903) of October 30, 1942, as amended, (8 F.R. 13752; 8 F.R. 13925) and good cause appearing therefor: *It is ordered*, That:

Service Order No. 93 (7 F.R. 8903) of October 30, 1942, as amended, (8 F.R. 13752; 8 F.R. 13925), be, and it is hereby, further amended to read as follows:

§ 95.301 *Giant type refrigerator cars.* (a) On and after 12:01 a. m., March 2, 1944, and until further order of the Commission, common carriers by railroad subject to the Interstate Commerce Act serving points in Arizona and California, shall furnish without regard to ownership for loading with commodities, in carloads, suitable for transportation in refrigerator cars, and shall accept and transport such commodities in giant type refrigerator cars as defined in paragraph (b) hereof, at the freight rates applicable on the same commodities when loaded in standard refrigerator cars (cars with inside length between bulkheads—loading

¹ 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1524.

² 7 F.R. 4779; 8 F.R. 970, 5842, 6174.

³ 8 F.R. 13240.

⁴ 8 F.R. 1744, 2035, 6424, 10085; 9 F.R. 1594.

space—of less than 37 feet 6 inches) *Provided*, That commodities loaded in the giant type of refrigerator cars shall be loaded at least 20 percent heavier than the tariff minimum carload weight on the same commodity in standard refrigerator cars.

(b) For the purpose of this order, the term "giant refrigerator cars" is defined as refrigerator cars (1) with inside measurement between bulkheads (loading space) of not less than 37 feet 6 inches, and (2) convertible refrigerator cars with collapsible bunkers having inside length between bulkheads (loading space) of less than 37 feet 6 inches with bulkheads in place and in excess of 37 feet 6 inches with bulkheads collapsed. The provisions of this order shall not be construed to include the following cars: SFRD refrigerator cars in series numbers 5000 to 5069 inclusive; PFE refrigerator cars in series numbers 200001 to 200125 inclusive; BRE refrigerator cars in series numbers 300 to 329 inclusive; WFE refrigerator cars in series numbers 400 to 499 inclusive; FGE refrigerator cars in series numbers 600 to 609 inclusive; URT refrigerator cars in series numbers 3000 to 3399 inclusive and 89000 to 89049 inclusive.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of paragraphs (a) and (b) of this section is hereby suspended.

(d) *Announcement of suspension.* Each railroad or its agent, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9) (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions above set forth. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U.S.C. 1 (10)-(17))

It is further ordered, That a copy of this amendment and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 44-3019; Filed, March 2, 1944;
10:33 a. m.]

Subchapter C—Water Carriers

PART 302—LIST OF FORMS

APPLICATIONS TO CONTINUE CERTAIN FORMERLY EXEMPTED OPERATIONS

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 2nd day of February, A. D. 1944.

The matter of applications for certificates by common carriers by water and permits by contract carriers by water

made pursuant to the provisions of section 303 (1) Part III of the Interstate Commerce Act, by common and contract carriers by water, being under consideration:

It is ordered, That the following regulations be issued to continue in effect until the further order of the Commission:

§ 302.8 *Applications under section 303 (1) for authority to continue formerly exempted operations*—(a) *Form of application.* Applications under section 303 (1) of the Interstate Commerce Act for a certificate of public convenience and necessity or a permit authorizing operation as a common or contract carrier in interstate or foreign commerce subject to part III of the act shall be in the form (BWC 8) attached hereto and made a part hereof,¹ and shall contain the information called for in accordance with the instructions attached hereto and made a part hereof.

(b) *Filing of application.* The verified original application and five additional true copies thereof shall be filed with the Interstate Commerce Commission.

(c) *Service of application.* A true copy of the application shall be served, in person or by mail, upon the Governor of each State in which applicant is engaged as a common or contract carrier by water.

(d) *Notice of the filing of application.* Notice of the filing of the application shall be in the form attached hereto (Form BWC 5) and shall be delivered in person or sent by mail to each known water-line competitor in the same trade route or routes. (Secs. 303 (1) and 309, 54 Stat. 933, 941, 49 U. S. C. 903 (1) 909.)

By the Commission, Division 4.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 44-3020; Filed, March 2, 1944;
10:33 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-24]

BARR COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

I have been advised that the mining companies listed in Appendix A have entered into wage agreements with their employees in conformity with a basic wage agreement between the Progressive Mine Workers of America and certain Illinois producers, heretofore approved by the National War Labor Board, and that there no longer exist any work stoppages or threats of work stoppages because of labor disputes at said mines. Based upon such advice, and after consideration of all the circumstances, I find that possession by the Government of the mines of such mining companies is

¹ Form filed as part of the original document.

not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, which is attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines, be, and it is hereby, terminated and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however That nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession as provided in section 40 of the regulations for the operation of Coal Mines under Government Control, as amended (8 F. R. 6655, 10712, 11344, 17339) for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F. R. 14877) may be concluded in an orderly manner.

ABE FORTAS,

Acting Secretary of the Interior
MARCH 1, 1944.

APPENDIX A

Name of Mining Company and Address

1. Barr Coal Co., Athens, Ill.
2. Deer Creek Mine, Lincoln Theatre Bldg., Lincoln, Ill.
3. Smith Coal Co., Marissa, Ill.
4. Sugar Loaf Coal Corporation, R. R. No. 2, Collinsville, Ill.
5. Treasure Coal Co., Garfield Ave., Bartonville, Ill.

[F. R. Doc. 44-3021; Filed, March 2, 1944;
10:48 a. m.]

FEDERAL FARM MORTGAGE CORPORATION.

3¼ PERCENT BONDS OF 1944-64 AND 3 PERCENT BONDS OF 1944-49

NOTICE OF CALL FOR REDEMPTION

Public notice is hereby given that the Federal Farm Mortgage Corporation has called for redemption on March 15, 1944, all its outstanding 3¼ percent bonds of 1944-64. They will cease to bear interest on that date. Unless previously surrendered these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treasury Department, Washington, D. C., on and after March 15, 1944.

Public notice is also hereby given that the Federal Farm Mortgage Corporation has called for redemption on May 15, 1944, all its outstanding 3 percent bonds of 1944-49. They will cease to bear interest on that date. Unless previously surrendered these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treas-

ury Department, Washington, D. C., on and after May 15, 1944.

The presentation and surrender of bonds of these two issues will be governed by the provisions of Treasury Department Circular No. 666, dated July 21, 1941.

An offering of interest bearing obligations of the United States will be made available to holders of bonds of these two issues, concerning which public announcement will be made by the Secretary of the Treasury.

FEDERAL FARM MORTGAGE
CORPORATION,
By HARRIS E. WILLINGHAM,
Executive Vice President.

MARCH 2, 1944.

Attest:

GEORGE H. THOMAS,
Secretary.

Approved:

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-3055; Filed, March 2, 1944;
11:45 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-523; G-529]

GODFREY L. CABOT, INC., AND CABOT GAS
CORP.

ORDER POSTPONING DATE AND CHANGING PLACE OF HEARING

MARCH 1, 1944.

It appears to the Commission that:

(a) By orders dated February 2, 1944, and February 22, 1944, the Commission directed that a hearing in the above-entitled consolidated proceedings be held at Washington, D. C., commencing March 7, 1944.

(b) The New York Public Service Commission has heretofore scheduled hearings in its Cases 11410 and 11416 concerning proposed increased rates for the sale of natural gas by Cabot Gas Corporation to Pavilion Natural Gas Company.

(c) By a letter of February 19, 1944, and a telegram of February 21, 1944, counsel for the Cabot companies requested that the hearing in the above-docketed matters be postponed, that the place of hearing be changed to New York City, and that a concurrent hearing be held with the New York Public Service Commission.

(d) By a letter of February 23, 1944, the Chairman of this Commission invited the New York Public Service Commission to hold a joint or concurrent hearing in these matters. By telegrams of February 28 and 29, 1944, the New York Commission suggested that concurrent hearings be held commencing 2 p. m., March 20, 1944, at 233 Broadway, Room 876, New York City.

The Commission orders that:

(A) The hearing heretofore ordered to be held in these matters commencing March 7, 1944, at Washington, D. C., be and it is hereby postponed to commence at 2:00 p. m., March 20, 1944, and the

No. 45—5

place of hearing is hereby changed to 233 Broadway, Room 876, New York, New York.

(B) The representative designated by the Commission to preside at such hearing is authorized (1) to conduct the hearing in the above-docketed matters concurrently with the hearing of the New York Public Service Commission and to work out with the representative of that Commission the best method of procedure for the conduct of the concurrent hearings; and (2) to hold such other and further hearings, if such be necessary, to complete the record for the purposes of a final determination of the matters involved and the issues presented in these dockets.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-3052; Filed, March 2, 1944;
11:48 a. m.]

HOME OWNERS' LOAN CORPORATION.

3 PERCENT BONDS, SERIES A

NOTICE OF CALL FOR REDEMPTION BEFORE MATURITY

To Holders of Home Owners' Loan Corporation 3 Percent Bonds, Series A, and Others Concerned:

Public notice is hereby given that all outstanding Home Owners' Loan Corporation 3 percent bonds of Series A, 1944-52, dated May 1, 1934, each and every number of all denominations, are hereby called for redemption on May 1, 1944, and will cease to bear interest on that date.

An offering of interest-bearing obligations of the United States will be made available to holders of the bonds now called for redemption, concerning which public announcement will be made by the Secretary of the Treasury.

Full information regarding the presentation and surrender of such Home Owners' Loan Corporation 3 percent bonds of Series A for redemption on May 1, 1944, is contained in United States Treasury Department Circular No. 666 relating to payment or redemption of securities.

(Sec. 4 (c) of the HOL Act of 1933, 48 Stat. 129, as amended by secs. 1 (a) 2, 3, 4, 13 of the Act of April 27, 1934, 48 Stat. 643, 644, 645, 647, secs. 506 (a), (b) 508 (b) of the Act of June 27, 1934, 48 Stat. 1263, 1264, sec. 11 of the Act of May 28, 1935, 49 Stat. 296; 12 U.S.C. 1463; E.O. 9070, 7 F.R. 1529.)

[SEAL] HOME OWNERS' LOAN
CORPORATION,
JOHN H. FAHAY,
*Federal Home Loan
Bank Commissioner*

MARCH 2, 1944.

Approved:

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-3053; Filed, March 2, 1944;
11:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[EMPE 161, Order 42]

BARNETT BROTHERS, ET AL.

OVERTIME ADDITIONS

Order No. 42 under § 1301.156 of Revised Maximum Price Regulation No. 161. West coast logs.

Pursuant to the provisions of § 1331.156 of Revised Maximum Price Regulation No. 161—West Coast Logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is hereby ordered:

(a) *New authorizations.* The following persons being on a 48 hour week, may add to the maximum prices of all logs produced and sold by them \$1.00 per thousand feet, log scale, on sales made on and after the effective date indicated:

Name, Address and Effective Date

Barnett Brothers, Concrete, Wash., January 1, 1944.
Bridge Logging Company, Grayland, Wash., January 1, 1944.
Eben Logging Company, Jewell, Oreg., February 1, 1944.
Fisher Logging Company, Portland, Oreg., January 1, 1944.
Harriman Logging Company, Portland, Oreg., January 12, 1944.
Jacobson and Guss Log Co., Markham, Wash., January 1, 1944.
Andrew Logler, Nehalem, Oreg., January 17, 1944.
Mountain Lumber Company, Tacoma, Wash., January 24, 1944.
St. Regis Paper Company, Tacoma, Wash., January 1, 1944.
Scott Lumber Company, Culp Creek, Oreg., February 1, 1944.
Soundview Pulp Company, Everett, Wash., January 15, 1944.
Troxel Logging Company, Springfield, Oreg., January 25, 1944.

(b) *Change of status.* The following persons who have been heretofore authorized to make specific additions are now authorized to make the following additions, since the number of hours maintained has been changed, effective on the dates indicated:

Name, Address, New Number, Hours and Additions, and Effective Date

Elmer E. Watters, Lebanon, Oreg., 43 to 91.00; November 1, 1943.

(c) *Cancellations.* The following authorizations are cancelled, and no additions are permitted on sales made on and after the effective date indicated.

Name, Address and Effective Date

Cascadia Lumber Company, Inc., Portland, Oreg., December 31, 1943.
Clearwater Logging Company, Clearwater, Wash., December 31, 1943.
Tom Coston, Morton, Wash., December 30, 1943.
Cox and Haller, Pe Ell, Wash., December 31, 1943.
John Carstensen, Grayland, Wash., December 31, 1943.
Drake Logging Company, Bellingham, Wash., December 31, 1943.
Charles F. DeGulre, Silverton, Oreg., December 31, 1943.
Ole Gulbeth, Darrington, Wash., December 31, 1943.
H. R. Stafford and Sons, Springfield, Oreg., December 31, 1943.

Whitcomb and Streets, Raymond, Wash., December 31, 1943.

L. E. Jensen, Raymond, Wash., December 31, 1943.

J. Jacobin Company, Hamilton, Wash., January 15, 1944.

Olympia Wood Preserving Co., Inc., Olympia, Wash., January 1, 1944.

West Fork Logging Company, Tacoma, Wash., December 31, 1943.

Robert Simpson, Castle Rock, Wash., December 20, 1943.

Frank R. Henry, Forks, Wash., December 31, 1943.

Ramsey and Wright, Port Orchard, Wash., December 1, 1943.

Stone Logging & Contract Co., Inc., Tillamook, Oreg., December 31, 1943.

(d) Sundown Logging Company, Yelm, Washington, a contract logger, as permitted to add \$1.00 per thousand feet log scale, to its contract logging maximum price, effective from October 20, 1943; until January 11, 1944.

Issued and effective this 1st day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3004; Filed, March 1, 1944;
4:26 p. m.]

[MPR 229, Order 1]

CERTAIN RUBBER FOOTWEAR

AUTHORIZATION OF MAXIMUM PRICES

Correction

In F.R. Doc. 44-2107 appearing on page 1733 of the issue for Tuesday, February 15, 1944, the eighth line of paragraph (a) should read: "Administration changing the applicable"

[MPR 381, Order 1]

WOOD EXTENSION WINDOW SCREENS

ADJUSTABLE PRICING

Order No. 1 under section 6 (d) of Maximum Price Regulation No. 381. Stock screen goods.

Petitions have been filed for the establishment of maximum prices for certain sizes of wood extension window screens made with 16 mesh galvanized wire and for certain sizes made of 16 mesh black wire for which no prices are established by any maximum price regulation. These petitions were filed because WPB Limitation Order L-303 prohibits the use of 12 and 14 mesh galvanized wire in wood extension window screens, which have previously been used for all sizes and allows the use of only 12 mesh black wire, 16 mesh black wire and 16 mesh galvanized wire, and because Table 7 of MPR 381 does not provide maximum prices for many of the sizes of wood extension window screens in which 16 mesh galvanized wire is now being used nor for any sizes made with 16 mesh black wire. Prices for the sizes of extension window screens listed below will be established by a forthcoming amendment to MPR 381, but it is necessary to allow shipment of these sizes prior to the issuance of that amendment, especially to the West Coast in order to meet rapidly approaching

Spring requirements. Due to the extensive building on the West Coast of war housing projects, in which wood extension window screens are widely used, the requirement for these products today is four times greater than it was a year ago.

It has been shown that authorization to use open billing pending action on the petitions is necessary to provide production and distribution of wood extension window screens made with 16 mesh galvanized wire and with 16 mesh black wire, and that the granting of such authorization will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with section 6 (d) of MPR 381, Stock Screen Goods, It is ordered.

(a) Persons subject to MPR 381, Stock Screen Goods, may sell, deliver, buy, and receive wood extension window screens, made with 16 mesh galvanized wire or with 16 mesh black wire in the sizes listed below, at or below prices to be established after date of delivery by the Office of Price Administration and prior to May 1, 1944.

(1) This order covers the following sizes of wood extension window screens made with either 16 mesh galvanized wire or with 16 mesh black wire:

Number	Height of the screen	Widest width of the screen	Number	Height of the screen	Widest width of the screen
	Inches	Inches		Inches	Inches
933.....	9	33	1545.....	15	45
937.....	9	37	1837.....	18	37
1033.....	10	33	1845.....	18	45
1237.....	12	37	1860.....	18	60
1245.....	12	45	2233.....	22	33
1537.....	15	37	2445.....	24	45

(2) This order also covers the following sizes of wood extension window screens made with 16 mesh black screen wire only.

Number	Height of the screen	Widest width of the screen	Number	Height of the screen	Widest width of the screen
	Inches	Inches		Inches	Inches
1233.....	12	33	2837.....	28	37
1533.....	15	33	3037.....	30	37
1833.....	18	33	3045.....	30	45
2433.....	24	33	3537.....	35	37
2437.....	24	37			

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of maximum prices for the sizes listed above of wood extension window screens made with 16 mesh galvanized wire or with 16 mesh black wire. It may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 1, 1944.

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3006; Filed, March 1, 1944;
4:28 p. m.]

Regional and District Office Orders.

[Region I Order G-6 Under RMPR 122, Amdt. 4]

BITUMINOUS COAL IN HARTFORD, CONN., AREA

Amendment No. 4 to Order No. G-6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal, Hartford, Connecticut area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-6 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Paragraph (d) is amended to read as follows:

(d) *Specifications and applicability of maximum prices.* (1) The maximum prices set forth in the Table of Prices in paragraph (a) shall apply only to bituminous coal meeting the following minimum specifications and produced in Producing Districts 1 and 3:

(1) "Screened Lump"—bituminous coal which has been passed over screens with two (2) inch or larger openings, or which has been forked from a bin or storage pile with forks the tines of which are not less than two (2) inches apart, in the dealer's yard or storage facilities.

(2) "Run-of-mine" means the whole product of the mine from which no part of the coal which has passed over a screen, or which has been forked, has been removed.

(3) "Nut & slack" means all of the coal which, at the mine, has passed through a screen with a mesh not larger than two and one-half (2½) inches or smaller than three quarters (¾) of an inch.

(4) "Stoker pea" means coal which has been double-screened at the mine and which passes through a screen with one and one-quarter (1¼) inch mesh, and over a screen with a mesh at least three-eighths (⅜) of an inch.

Provided, however That this Order G-6 shall not apply to coals produced by the Walker-Coal Mining Company at its Big Sewell #2 Mine (Mine Index #1272)

(2) All other bituminous coal (that is, all bituminous coal produced in Producing Districts 1 and 3 which does not meet the minimum specifications set forth in the preceding subparagraph or which is specifically excluded from this Order G-6 by the preceding subparagraph, and all bituminous coal produced in producing districts other than 1 and 3) shall remain subject to Revised Maximum Price Regulation No. 122 and shall be priced under the appropriate pricing rule in § 1340.254 (b) thereof. The maximum prices for said coals shall be reported in accordance with § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

2. Paragraph (k) is added, to read as follows:

(k) *Producing districts.* All references to producing districts are to the geographical bituminous coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they may have been modified as of midnight, August 23, 1943.

NOTE: The reporting and record keeping requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 4 shall be effective as of February 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 73th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 12th day of February 1944.

K. B. BACKMAN,
Regional Administrator

[F. R. Doc. 44-3003; Filed, March 1, 1944;
12:36 p. m.]

Jobber's No.	Manufacturer's No.	Manufacturer's name and address	Description	Maximum retail price
1553-----	21/2	Hudson-Liberty Co., 38 W. 32d St., New York City.	Furlough bag made of tuckle twill, 21½ inches long with 12-inch zipper. Leather trim.	Percent \$2.60
1554-----		Rays Novelty Co., 38 W. 32d St., New York City.	Furlough bag made of army duck 18 inches long with 10-inch zipper. Leather trim.	..60

(2) Retail ceiling prices established by this order include the Federal Excise Tax. Any other tax upon the sale of any item of luggage imposed by any statute or ordinance of any state or subdivision thereof may be collected in addition to the ceiling price, if it is separately stated.

(3) In all particulars not specifically covered by this order, all sellers shall be subject to the provisions of Maximum Price Regulation No. 476.

(4) This order may be revoked or amended by the regional administrator or the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment, or supplement thereto.

This order shall become effective February 25, 1944.

Issued this 25th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator

[F. R. Doc. 44-2999; Filed, March 1, 1944;
12:35 p. m.]

[Region II Order G-1 Under MPR 165]
LAUNDRY SERVICES IN NEW YORK METROPOLITAN AREA

Order No. G-1 under § 1499.114 (d) of Maximum Price Regulation No. 165, as Amended. Services. Adjustment of laundry service prices in the New York Metropolitan Area.

Applications for permission to increase the maximum prices of laundry services as established by Maximum Price Regulation No. 165 as amended—"Services" have been heretofore granted by the District Director to the following laundries on the dates and in the amounts indicated:

[Region II Order G-1 Under MPR 476]

FURLOUGH BAGS SOLD BY STRAUSS BROS. & Co., New York, N. Y.

Order No. G-1 under section 11 (c) of Maximum Price Regulation No. 476. Luggage.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Regional Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9238 and section 11 (c) of Maximum Price Regulation No. 476, It is ordered, That:

(1) The maximum retail prices for all retailers for sales of the described furlough bags sold by Strauss Brothers & Company, 114-120 East 23d Street, New York, N. Y., are as follows:

	Percent
Harvester Laundry Corporation, 95 13th St., Brooklyn, N. Y., Dec. 23, 1943-----	6
New Brightness Laundry Corporation, 2028 McDonald Ave., Brooklyn, N. Y., Dec. 23, 1943-----	8
Morrisanne Laundry Service Co., Inc., 877 East 180th St., New York, N. Y., Dec. 23, 1943-----	10
Fortway Laundry Co., Inc., 417 80th St., Brooklyn, N. Y., Dec. 23, 1943-----	6
Safe Laundry Corp., 100 Huntington St., Brooklyn, N. Y., Dec. 23, 1943-----	7

After due consideration of all the information on which these adjustments of maximum prices were based, it has been decided by the Office of Price Administration on its own motion to revoke the above mentioned orders and to adjust the maximum prices of these laundries to the extent indicated, for the reasons set forth in the opinion attached.

Accordingly, pursuant to the Emergency Price Control Act of 1942, Supplementary Order No. 28, and § 1499.114 (d) of Maximum Price Regulation No. 165, as amended—"Services", It is hereby ordered.

(1) The individual orders granting increases in maximum prices for laundry services, above enumerated, be, and are hereby revoked.

(2) The applications of the following named laundries are granted to the extent that they are permitted to increase their present legal maximum prices for all their family laundry services, by the percentage amount set forth after their names, in the manner hereinafter in paragraph (4) of this order, provided

Name	Permitted increase (percent)
Harvester Laundry Corporation-----	6
New Brightness Laundry Corporation-----	8
Morrisanne Laundry Service Co., Inc-----	10
Fortway Laundry Co., Inc-----	6
Safe Laundry Corp-----	7

(3) Any power laundry listed in paragraph (2) of this order is permitted to add to its present legal maximum price to agent-drivers supplied by it the percentage price increase granted to it in that paragraph. Agent-drivers, any of whose family laundry services are supplied by any such power-laundry, are permitted to add to their retail prices the same percentage increase herein granted to their supplier, in the manner provided by paragraph (4) of this order. The dollars and cents increase which thus accrues to any agent-driver in excess of the increased cost of the services to him may be divided between the supplier and the agent-driver in such proportions as shall be agreed upon between them. Agent-drivers shall compute the price increase permitted them by this paragraph upon the bills rendered by them to their customers in the manner provided in paragraph (4) of this order. They shall inscribe upon each bill presented to any customer the statement prescribed in paragraph (5) of this order. They shall be subject to all the other provisions of this order which are applicable to their circumstances.

(4) The percentage increases permitted to any laundry establishment by this order shall be applied only to the total amount of the bill rendered to each customer for any service afforded (as it would be computed under existing lawful maximum prices). Such increases may not be applied to individual items of service. Existing price lists shall not be altered. If the increased prices so arrived at include a fraction of a cent less than one-half, the price that may be charged shall be reduced to the next lower cent. If, however, the increased price includes a fraction equal to or more than one-half cent, the seller shall be permitted to charge the next higher cent.

(5) Any power laundry establishment and any driver-agent of a power laundry which has been granted a price increase by this order shall give notification of such price increase as follows: (a) Furnish each customer within 15 days after the effective date of this order with a statement describing its services, and specifying its lawful ceiling prices, and the percentage increase permitted it by the order; (b) File a copy of the same statement with the New York District Office of the Office of Price Administration within 15 days after the effective date of this order, together with a statement signed by a responsible official of the laundry establishment certifying that the applicant has complied with section (a) above; (c) Inscribe on each bill rendered the statement: "OPA permitted increase of _____% to maintain supply: \$-----" or "OPA permitted increase to maintain supply: \$-----" and (d) give all new customers as acquired the same notification as hereinabove provided for existing customers.

(6) In addition, all power laundries to whom a price increase is permitted by this order shall immediately advise their agent-driver customers of the amount of permitted price increase which the latter may add to their total bills under the provisions of paragraph (4) of this order, and of the manner in

which such permitted increase shall be computed.

(7) Customary allowances, discounts, or other price differentials may not be changed by any of the laundry service suppliers named or otherwise referred to in this order, unless such change results in prices lower than the prices permitted by this order, after applying the supplier's customary allowances, discounts, or other price differentials; and all laundry service suppliers named or otherwise referred to herein shall maintain all of their legal current pricing and other business practices.

(8) All of the power laundry establishments named herein shall keep this order and attached opinion in their establishments, together with the statement required by § 1499.108, and make them available for inspection by any person during business hours.

(9) Except as expressly provided by this order, all of the laundry establishments named or otherwise referred to in this order shall remain in all respects subject to all of the provisions of Maximum Price Regulation No. 165, as amended—Services.

(10) This order may be revoked or amended by the district director, the Regional Administrator of Region II, or the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto.

(11) Any relief requested by any applicant not expressly granted herein is denied. To the extent that the application of any laundry establishment herein named has been denied in whole or in part, such applicant may, within fifteen (15) days after the date on which this order was issued, request the Regional Administrator of Region II to review such order of denial in the manner provided by Revised Procedural Regulation No. 1.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This order shall become effective immediately.

Issued this 24th day of February 1944.

DANIEL P. WOOLLEY,
District Director

[F. R. Doc. 44-3000; Filed, March 1, 1944;
12:35 p. m.]

[Region II Order G-15 Under MPR 165, as Amended, Amdt. 4]

LAUNDRY SERVICES IN PHILADELPHIA, PA., AREA

Amendment No. 4 to Order No. G-15 under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended. Services. Adjustment of laundry service prices in Philadelphia Area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as

amended—Services, and by the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That New York Regional Order No. G-15 under that section and regulation be amended as follows:

(1) The name "Victory Laundry" whose establishment is located at Jasper and Clearfield Streets, Philadelphia, Pa., is added to paragraph (b) of the order.

(2) The name "Ace Towel Service Company" whose establishment is located at 401 North Broad Street, Philadelphia, Pa., is added to paragraph (d) of the order.

(3) The name "Kennedy's Laundry" whose establishment is located at 2817 Helen Street, Philadelphia, Pa., is deleted from paragraph (c) of the order.

(4) The name "Passyunk Laundry, Inc." whose establishment is located at 1925 Ft. Breeze Avenue, Philadelphia, Pa., is deleted from paragraph (d) of the order.

(5) The names "Bell Electric Laundry Company," "The Fairmount Laundry," and "Kennedy's Laundry," whose establishments respectively are located at Josephine and Pear Streets, at 247 South 37th Street, and at 2817 Helen Street, all in Philadelphia, Pa., are added to paragraph (e-1) of the order.

(6) The name "B' Coat, Apron & Linen Service, Inc." whose establishment is located at 6142 Osage Avenue, Philadelphia, Pa., is added to paragraph (e-2) of the order.

(7) The names "Sanitary Laundry," and "Passyunk Laundry, Inc.," whose establishments respectively are located at 3402 North Lee Street, and at 1925 Ft. Breeze Avenue, in Philadelphia, Pa., are added to paragraph (g) of the order.

(8) The name "Manchester Laundry Stores, Inc.," whose main establishment is located at 11th and Mifflin Streets, Philadelphia, Pa., is added to paragraph (h) of the order.

(9) The name "Overbrook Damp Wash Laundry," whose establishment is located at 3410 Brandywine Street, Philadelphia, Pa., is added to paragraph (j) of the order.

The purpose of this Amendment No. 4 to Order No. G-15 of the New York Regional Office under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, is as follows:

(a) To change the permitted price increase granted to Kennedy's Laundry by the order from 4% to 6%.

(b) To change the permitted price increase granted to Passyunk Laundry, Inc. by the order from 5% to 9%.

(c) To grant to the following power laundry establishments and linen supply houses the permitted percentage increases set forth after their names on all their laundry, linen supply, storage and related services, subject to the limitations set forth in paragraphs (k) and (n) of Order No. G-15:

	Percent
Ace Towel Service Co.....	5
"B" Coat, Apron & Linen Service Co.....	7
Bell Electric Laundry Co.....	6
Manchester Laundry Stores, Inc.....	10

	Percent
Overbrook Damp Wash Laundry.....	12
Sanitary Laundry.....	9
The Fairmount Laundry.....	6
Victory Laundry.....	3

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This amendment shall become effective immediately.

Issued this 24th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator

[F. R. Doc. 44-3001; Filed, March 1, 1944;
12:35 p. m.]

[Region IV Order G-17 Under RMPR 122, Amdt. 6]

SOLID FUELS IN COLUMBUS, GA., AND PHENIX CITY, ALA.

Amendment No. 6 to Order No. G-17 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in Columbus, Georgia and Phenix City, Alabama.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G-17, *It is hereby ordered*, That paragraph (m) (5) (i) be amended to read as set forth below:

(i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT No. 8

Size	Per ton 2,000 lbs.	Per 1/2 ton 1,000 lbs.	Per 1/4 ton 500 lbs.
Lump or block.....	\$10.00	5.70	\$2.03
Egg.....	9.85	5.18	2.71
Blue Gem Egg.....	10.20	5.37	2.89
Stoker.....	9.70	5.10	2.63
Slack.....	7.00	3.75	2.00
Blue gem lump.....	11.30	6.60	3.04
Red clover lump.....	11.30	6.60	3.04
Hi-Clover lump.....	11.30	6.60	3.03

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT No. 13

	\$10.85	\$5.68	\$2.06
Lump.....	12.15	6.33	3.23
Piper lump.....	12.15	6.33	3.29
Stoker.....	9.10	4.80	2.53

This Amendment No. 6 to Order No. G-17 shall become effective February 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 21, 1944.

JAMES C. DERIEUX,
Regional Administrator

[F. R. Doc. 44-3002; Filed, March 1, 1944;
12:36 p. m.]